THE INTERNATIONAL LABOUR OFFICE

E. BEDDINGTON BEHRENS

888 - DRUMMOND COURT - MONTREAL

119 155 0
CHANGED
A1191550N

Sir Herbert Ames,

with the author's sincere regards.

UNITED COLLEGE LIBRARY 47755
WINNIPEG 2
MANITOBA, CAN.

DISCARDED
UNITED COLLEGE LIBRARY
WINNIPEG, MAN. R3B 2E9

CAMBRIDGE

THE INTERNATIONAL LABOUR OFFICE

(LEAGUE OF NATIONS)

THE INTERNATIONAL LABOUR OFFICE

(LEAGUE OF NATIONS)

A SURVEY OF CERTAIN PROBLEMS OF INTERNATIONAL ADMINISTRATION

HD
780
.B4

By

E. BEDDINGTON BEHRENS

With a Foreword by

HAROLD J. LASKI

Reader in Political Science in the University of London

LONDON

LEONARD PARSONS

1924

First Published in 1924 by Leonard Parsons Limited, and Printed in Great Britain by The Northumberland Press Limited, Thornton Street, Newcastle-upon-Tyne

To

M. ALBERT THOMAS

UNITED COLLEGE LIBRARY

ACCESSION No.

CONTENTS

		PAGE
	FOREWORD BY MR. HAROLD LASKI	9
	AUTHOR'S PREFACE	13
CHAP.		
I.	THE CONSTITUTION AND FUNCTIONS OF THE INTERNATIONAL LABOUR ORGANIZATION	21
II.	INTERNAL ADMINISTRATION	50
III.	FINANCE	75
IV.	PREPARATION OF THE CONFERENCE	97
V.	THE CONFERENCE—(*a*) GENERAL	105
VI.	THE CONFERENCE—(*b*) PROCEDURE	123
VII.	INTERNATIONAL COMMISSIONS	140
VIII.	AN INTERNATIONAL CENTRE OF INDUSTRIAL RESEARCH	154
APPENDIX		
I.	PLAN OF THE INTERNATIONAL LABOUR ORGANIZATION	*facing* 176
II.	ALLOCATION OF EXPENSES OF THE LEAGUE OF NATIONS AND OF THE INTERNATIONAL LABOUR ORGANIZATION	177
III.	STAFF OF THE INTERNATIONAL LABOUR OFFICE BY NATIONALITIES	179

CONTENTS

APPENDIX PAGE

IV. STATISTICS OF MAIL RECEIVED BY THE INTERNATIONAL LABOUR OFFICE, BY COUNTRY AND LANGUAGE . . . 180

V. PART XIII OF THE TREATY OF VERSAILLES 182

VI. THE STANDING ORDERS OF THE INTERNATIONAL LABOUR CONFERENCE . . 198

VII. TABLE SHOWING THE RATIFICATION OF CONVENTIONS OF THE INTERNATIONAL LABOUR CONFERENCE . . *facing* 210

VIII. TABLE SHOWING ACTION TAKEN WITH REGARD TO THE RECOMMENDATIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE 212

INDEX 217

FOREWORD

The literature of international organization has already grown beyond manageable limits. Every publicist who feels at all deeply the dangers of European anarchy has sought printed form for his aspirations towards a better world. But much the larger part of this literature is of a declamatory quality. It sets out large ideals; it conveys vast hopes. It yet rarely seeks, item by item, to explain the details of a plan at work.

Mr. Behrens' book is in a different and, I believe, a more valuable tradition. He has isolated a small section of the international field and inquired, as a problem in practical politics, how the issues raised there are, in fact, answered. He has studied at first hand the administration of a complicated body upon which very largely depends the future of international organization. The value of his work is twofold. It provides material for a discussion of the ways in which minds most variously trained can learn habits of co-operation; and it serves to show how the

problems they seek to solve may be defined within the limits which make institutional exploration feasible.

Few persons to-day need to be convinced of the importance of the International Labour Office. As an institute of research, as a means of conference, as a mechanism for bringing great problems to the bar of public opinion, it has already won its spurs. But few people realize at all adequately the value of its experience as a contribution to the technique of international relations. It has become painfully clear in the brief history of the League of Nations that states will not submit their immediate interests to the larger needs of mankind until they are convinced that those interests are equitably weighed in the making of common decisions. The Labour Office is essentially an experiment in giving "equitable weight" to those interests. No one, I think, could yet claim that it has succeeded. No one, at least as certainly, could say that there is reason to suppose it must inevitably fail. Its conferences have shown that the problem of language can be overcome, and that something akin to a common mind can be developed at least on matters of principle. Its expert reports have shown that men of the most alien experiences can pool them to make that common body of facts from which all fruitful discussion must start.

But what is, I should urge, above all impressive is the way in which men like M. Albert Thomas, Mr. H. B. Butler and their colleagues, by administering an international body, have grown into the possession of an international mind. They are not the less good Frenchmen and good Englishmen because they have learned to adjust that particularism to a richer perspective.

Mr. Behrens has analysed with great care the methods it became necessary to use to attain the results so far secured. Largely, he is concerned with procedure; but here, as Sir Henry Maine said of law, progress is secreted in the interstices of procedure. He has written what will, I hope, begin a series of studies analysing the mechanics of world co-operation. Readers of Sir Arthur Salter's great book on "Allied Shipping Control" will know how important such analysis is in the future science of public administration. I believe that Mr. Behrens' book will be found helpful in the building of that science.

HAROLD J. LASKI.

THE LONDON SCHOOL OF ECONOMICS
AND POLITICAL SCIENCE.

AUTHOR'S PREFACE

THE world is still divided into separate political units. Owing, however, to the progressive reduction of distance through mechanical invention, the physical barriers between nation and nation have been largely modified. On the other hand, protective duties such as tariffs, bounties and export taxes offset this desirable factor, and have substituted economic for physical barriers. While it is true that commercial intercourse between nations has been and is impeded by these economic barriers, their effect has not been equivalent to the results of the increased facilities of transport. The price of essential commodities no longer depends upon local demand and supply, but upon their value under conditions of world-wide exchange, competition and valuation. A British manufacturer will buy steel ingots from Sheffield, Essen or Pittsburg according to the profitable bargain afforded by purchase at any one of those centres when they are delivered at his factory. And what is true of steel is true also of credit. A State, a municipality, a financial corporation is no longer restricted to local resources when it desires to borrow money; each avails itself of the best terms obtainable in the money markets of the world.

As a result of the growth of populations and the intensification of international commerce, the dependence of one country upon another has increased. Before industrialism had changed the face of Europe,

nations were practically self-contained and self-supporting. The exchange of commodities between countries was on a small scale, and owing to the heavy cost and risk of transport, was largely restricted to articles of luxury. Nations were not only dependent upon their own resources for the chief commodities of life, but also for their weapons of offence and defence. Populations were faced with starvation if they increased more rapidly than the resources indispensable to them. For the greater part of mankind life was " nasty, brutish and short." It still is so when means of communication fail, even temporarily. Many were astonished when, at the Genoa Conference, Russia was declared to be at once starving and yet able to export wheat. The reason was simple. The railways were disorganized and hopelessly congested, while maritime communications were still available. The interior starved because corn could travel in an outward direction only.

The development of the industrial system has revolutionized the old economic order. It has enabled a country like Great Britain to increase its population from eight to forty millions in the course of a single century. Such an increase could only have occurred under conditions which permitted the importation of the food-stuffs necessary to sustain this fast-growing population. A large-scale modification of the condition under which this development has taken place must react upon the world at large. The effect upon international commerce of the elimination of Near Eastern and Central European markets serves as an illustration of the influence exercised by a breakdown of the slowly-evolved system of exchange. It has brought home to us the fact that prevailing trade-depression and unemployment are in large measure attributable to factors beyond our national control.

The evolution of the industrial system has involved

enormous wastage of human life and effort. The principal cause of this wastage is that the co-ordination of efforts to supply the world's economic needs has not kept pace with the economic dependence of one country upon another. Far from realizing the extent of that dependence, and organizing their endeavours accordingly, nations have clung to their independence with passionate determination. "Ye are members one of another" has certainly not been accepted in its economic application.

Another cause of this wastage is to be found in the undiscriminating application of the results of scientific discovery. The introduction of modern textile machinery brought the use of cheap and serviceable cotton goods within the reach of millions of people. It also led to a terrible exploitation of child labour in the mills. The researches of Pasteur, Lister, and others eminent in medical and surgical exploration, brought into operation new methods of alleviating human suffering. But the late war has shown that the same spirit of research applied to the discovery of increasingly efficacious methods for destroying human life can wipe out a large part of the population of a continent in a single decade. The use of poison gas has revolutionized the art of warfare; the ease of its manufacture, and the power of surprise in its use, have indefinitely multiplied the means of destruction. Thus the harmful as well as the beneficial effects of progress in science increase, though perhaps not in the same ratio, with each new discovery. In the capacity for inventiveness of modern civilization lie the seeds which may eventually lead to its suicide, unless such destructive tendencies are opposed by others which seem to be slowly asserting themselves. Economic necessity, the natural human longing for peace, the spirit which makes men sink their differences before a common danger are the bright spots in a dark horizon. Hence the development of

the international movement and the creation of international organizations.

Recent experience has not added popularity to the idea of organization. It is supposed to savour of bureaucracy and to be reminiscent of irksome regulations during the war. To many it implies an increase in centralization with some of its harmful implications. Over-centralization is one of the evils of modern times, tending to destroy the spirit of local initiative and individual effort. But when local needs can no longer be supplied by local resources, the necessity for greater centralization and thus of concentration becomes apparent. This necessity arises from the essential nature of the present industrial system.

There are those who believe that the lot of man was happier before the era of the industrial system. Yet the advantages procured by applied science under that system must be admitted. Science, practically applied, has added greatly to the health, the comfort, and the length of human life. An artisan to-day enjoys social and domestic advantages which were not within the reach of even the wealthy class in earlier periods. The standard of living of the so-called working classes has, on the whole, steadily progressed. On the other hand, the distress amongst the unemployed in great industrial centres, the over-crowding in great cities, the misery existing at the present moment amongst a large proportion of the industrial workers of Central Europe, must weigh against the physical and material advantages to which the working class has attained with the evolution of the industrial system.

It is claimed that these material improvements have not resulted in greater happiness for the mass of mankind. Sir Thomas Armstrong, at a recent Conference in London, remarked, after hearing a description of her daily work by a telephonist, that it could be doubted whether scientific invention

instead of alleviating, had not actually increased the burdens of mankind. Life has become a different thing, but is the struggle for that life any easier, any more calculated to produce happiness, or to lead in a broad sense, to a higher human standard? [1]

Whatever conclusions we may arrive at in summing up the effects of the industrialism upon the life of man, its further development, as the chief factor in our civilization, seems inevitable. The present is an age of scientific and especially of mechanical development. It would not be possible, even were it desirable, to put back the clock. The economic position and distribution of populations in Western Europe to-day is due to the impulses of mechanized industrialism during the last hundred years: their continued existence depends upon its maintenance and extension. But the growing economic interdependence of States will necessitate constructive organization to prevent destructive wastage of human energy and of human vitality. The law of the jungle has no place in the modern world, if that world is to survive. Since the development of the industrial system, the economic organisms of all countries are so interwoven that its proper functioning depends more and more on organization. The alternatives of the future must be better organization or chaos.

Though there may be temporary political reactions against international legislation, the essential idea of institutions having that function, is destined to exercise an increasing influence in the future affairs of the world. The task of such institutions will be not to create an all-powerful super-state nor to set up gigantic machinery for the control and distribution of world products. There are definite limits to the usefulness of centralization and to the size and capacity for control of any organization.

[1] G. Wallas, "The Great Society," last chapter.

But there is no limit to the usefulness and efficiency of co-operation. International institutions will be the only machinery by means of which this world-wide co-operation can be effected.

The League of Nations is in its infancy. Whether it will survive in its present form is a matter beyond the scope of this essay. But the practical experience that it has gained and will continue to gain in organizing international machinery for dealing with world needs, will be of lasting value and importance. The problem of the organization of an international consultative and advising body is a new one and covers a great field. It has special difficulties of its own. Its task is the co-ordination of a wider and more varied range of interests than has ever before been submitted to any constituted assembly. How these difficulties are being faced must be of interest to the student of political institutions, whatsoever party or tendency he may favour.

This essay does not attempt to cover the immense field of international administration. It is limited to an explanation of the problems which presented themselves during the early working stages of the International Labour Organization of the League of Nations. So complex is the fabric of modern civilization, that the conditions of labour in one country react upon the conditions prevailing in others. It is the aim of the International Labour Organization to co-ordinate efforts for the amelioration of the lot of humanity under industrial conditions. Its creation marked a new and important departure: the functional representation of industry on the platform of international policy.

A complete account of the history and functioning of this new international organization will not be attempted. But certain problems of administration and procedure will be examined, in the hope that they may throw some light on the working of international institutions in general.

The author desires to express his grateful acknowledgment of the help given him by Mr. H. A. Grimshaw, Mr. W. J. Ellison, Mr. M. R. K. Burge and Mr. F. M. Collins—his colleagues on the staff of the International Labour Office—and Prof. André Siegfried, in the supply and collection of official documents and information. He wishes at the same time to state that the views and conclusions expressed in this work are his own and should not be assumed in any way to represent the opinions of those responsible for the conduct of the International Labour Office.

UNITED COLLEGE LIBRARY
WINNIPEG 2
MANITOBA, CAN.

CHAPTER I

CONSTITUTION AND FUNCTIONS OF THE INTERNATIONAL LABOUR ORGANIZATION [1]

THE setting up of the International Labour Organization at the Peace Conference has been chiefly ascribed to the desire to recognize the part played by Labour during the War, and the growing strength of its various organizations. No doubt the power of trade unions, and the threat of the spread of Bolshevik methods to the West, had a distinct influence over the statesmen assembled at Versailles. But whether organized labour were weak or strong, whatever aspirations or fears prevailed, the creation of such an institution was a necessary complement to an effective League of Nations, and an essential factor in assisting in the smooth development of the modern industrial system.

Owing to the competitive system in modern industry and the development of the means of communication, labour conditions in all countries are constantly tending to adjust themselves to a common level. The important point to consider, however, is whether this tendency is towards a levelling up or a levelling down. On this question

[1] This chapter is not intended to deal exhaustively with the questions bearing upon the constitution and functions of the International Labour Organization. It is only intended as a general summary by which the administrative problems dealt with in subsequent chapters can be seen in their true proportions.

the future of industrialism, as we now conceive it, largely depends.

The element of competition in industry is beneficial when, by improved machinery and better organization, it brings about more efficient methods of production and distribution. It is destructive when it tends to cut down the standards of living. Two examples of this latter aspect of competition may be given. The large volume of exports to-day from a country like Germany[1] is not due to better methods of production, but to a continual cutting down of the standard of living of its working classes. Wages in that country cannot hope to keep pace with the continual fall of the currency; the disparity between the price of the finished article and the price of labour continues to increase. This is inevitably leading to a corresponding lowering of the standard of life of the working classes in the competing countries, in other words, to a "competition in sweating." Finality cannot be reached, if this process is allowed to continue, except by the gradual exhaustion of the populations affected. This harmful effect of competition assumes an even graver aspect when the possibility of a similar competition between Western and Eastern Labour is considered. With the recent introduction of modern machinery in Eastern countries, these are able to enter into competition for world markets on more favourable terms than before. Will this lead to a competition between the present standards of living in the West and sweated conditions in the East similar to that which existed here when the industrial system first came into being? The consequences of such a competition between East and West need not be enlarged upon: they contain all the seeds of racial hatred, increased poverty and war.

These two examples are given to illustrate certain destructive tendencies which the International

[1] This was written in 1923, when the mark was still falling.

Labour Organization was created to deal with.[1] Only by such an agency can the change from competition to co-operation be achieved. Mr. Baldwin, in a recent speech,[2] voiced the views of countries with comparatively advanced social conditions on this question when he stated: "There is one thing I wish to say about the League of Nations. I have often felt that even if such a League had not been developed politically it would have been necessary for the world to have such a League in years to come for economic, trade and labour purposes. The work of the International Labour Organization is work that wants doing, and work that ought to be done. It is important in this country to endeavour, so far as we can, to see that our standard of life is protected by helping to raise, as far as possible, the standard of life in other countries."

The functions of the International Labour

[1] The following statement by Mr. A. C. Chatterjee, Secretary to the Government of India, in introducing the resolutions on the subject of the Washington Conventions in the Council of State in 1921, is significant of the influence the Organization is beginning to exert over Eastern Countries.

"I do not think I shall be wrong if I say that the first tangible result of India's entry into the League of Nations as a full member was India's participation in the discussions of the International Labour Conference. In our deliberation we should not lose sight of the passage in the Treaty to which India's representatives have already subscribed. I refer to the statement that the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries. We have just entered upon a new constitutional era in this country. The eyes of the world, of the democracies of every country in the world, are at the moment on us. I am confident that the Council has a full sense of its responsibility for the good name, the dignity, of India in International Councils. We do not want to be *considered a backward nation always and for ever.*"

[2] Swansea, October 1923.

Organization are twofold: partly legislative, partly informative. It seeks to promote in all countries labour legislation which, " as far as climate and local circumstances permit," aims at being uniform throughout the world. It is also entrusted with the task of collecting and distributing information on labour and industrial conditions. These two functions are complementary. Inquiry and research must precede wise legislation. Legislation alone cannot have beneficial effects unless it is made in terms of a widening knowledge and understanding of the problems involved. As a world clearing-house of information on industrial questions the International Labour Organization enables each country to be in touch with sources of information which were unattainable in the past. This permits the measure of success or failure of any attempted solution of any particular labour problem in one country to be closely noted by the rest of the world, which is thus able to benefit by this experience.

The constitutions and functions of the International Labour Organization were drafted and defined by the Commission on International Labour Legislation of the Peace Conference in Paris in 1919. This Commission was composed of two delegates from the United States, the British Empire, France, Italy and Belgium, and one delegate from Cuba, Poland and Czecho-Slovakia. It was presided over by Mr. Samuel Gompers, President of the American Federation of Labour. The results of its deliberations were finally embodied in Part XIII [1] of the Treaty of Versailles and the corresponding sections of the other Peace Treaties.

[1] The provisions of Part XIII of the Treaty of Versailles are reproduced in full in Part XIII of the Treaty of Saint-Germain of 10 September 1919 (Articles 332-372), Part XIII of the Treaty of Trianon of 4 June 1920 (Articles 315-355), and Part XII of the Treaty of Neuilly of 27 November 1919 (Articles 249-289).

Part XIII, the Labour Section of the Treaty of Peace, like the Covenant of the League of Nations, was inserted in the Peace Treaties quite apart from other provisions dealing with the peace settlement between the belligerent countries. Part XIII is also separate from the Covenant, Article 23 of which, however, lays down "That Members of the League will endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries, and in all countries to which their commercial and industrial relations extend and for that purpose will establish and maintain the necessary international organizations."

Section 1 of Part XIII and Article 427 of the Treaty lay down certain general principles which it is important to bear in mind as indicating the aims and intentions of those who framed the Treaty.

> "Peace can only be established if it is based upon social justice."
>
> "Conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required."
>
> "The failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries."[1]
>
> "The High Contracting Parties recognize that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for

[1] Section I, Part XIII, Treaty of Versailles.

regulating labour conditions which all industrial communities should endeavour to apply so far as their special circumstances will permit." [1]

The Parties then laid down the methods and principles which they deemed of special and urgent importance. They stated that without claiming that they were "either complete or final" they seemed "well fitted to guide the policy of the League of Nations and if adopted by the industrial communities who are Members of the League, and safeguarded in practice by an adequate system of inspection, would confer lasting benefits upon the wage-earners of the world."

These methods and principles, which have commonly been termed the Charter of Labour, were as follows:

(1) That labour should not be regarded merely as a commodity or article of commerce;
(2) The right of association for all lawful purposes by employers and employed;
(3) The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country;
(4) The adoption of an eight-hour day or a forty-eight hour week as the standard to be aimed at where it has not already been attained;
(5) The adoption of a weekly rest day of at least twenty-four hours which should include Sunday wherever practicable;
(6) The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development;
(7) The principle that men and women should receive equal pay for work of equal value;

[1] Article 427.

(8) Labour legislation in each country should have due regard to the equitable economic treatment of all workers lawfully resident therein;
(9) The provision of a system of inspection, in which women shall take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

All the countries which are Members of the League of Nations are by that fact also members of the International Labour Organization. But there have been several cases where countries which were not yet Members of the League formed part of the Organization. There are at present fifty-seven countries belonging to the Organization, only one of which—Germany—is not yet a Member of the League.[1] Whatever may have been the pressure of the Allies to prevent certain former belligerent countries from entering the League of Nations, no reasonable case could be made for excluding any important industrial country from its International Labour Organization. One of the objects of the Organization is to secure co-operation between States to prevent destructive competition from lowering the standard of labour conditions. To have excluded such an important industrial country as Germany would have been to limit the sphere of usefulness of the Organization from the very start. Germany and Austria were therefore formally invited to become Members at the opening of the First Conference in Washington in 1919. Austria has since become a Member of the League of Nations, but Germany, though still outside that body, has taken her full share as a Member of the Organization, and is represented on its Governing Body.

Germany and Austria are not the only countries

[1] See pamphlet entitled "The Admission of Germany and Austria into the Permanent Labour Organization," Geneva, 1920.

which have participated in the work of the International Labour Organization without being Members of the League of Nations. Finland had already taken part in the first two International Labour Conferences before it was finally admitted to membership of the League of Nations in December 1920.

The question arises whether the International Labour Organization really has the right to admit States to full participation when they are not Members of the League of Nations. Article 387 states: "The original Members of the League shall be the original Members of this Organization, and hereafter membership of the League of Nations shall carry with it membership of the said Organization." The admission of Austria and Germany was interpreted as being covered by the term "original Members" as their admission was subject to the peace negotiations of Versailles. In the case of Finland the International Labour Conference, at its first and second Sessions, without deciding the question of principle, allowed Finland to participate in its work on the same footing as other countries not then belonging to the League of Nations.

The special commission set up by the Washington Conference to decide the question of Finland was of the opinion that the wording of the Treaty permitted nations to belong to the Labour Organization even if outside the League of Nations. But this view has been contested by many well-known international jurists.[1] This question might be of considerable importance were the admission of America into the International Labour Organization, but not into the League, once more to become an immediate issue.[2] Though the United States is not

[1] Evidence of Professor Manley Hudson, legal adviser to the Conference. See M. Guerrau, "L'Organization Permanente du Travail." 1923. p. 167.

[2] The following speech of Mr. Barnes, President of the

a Member of the Organization, in the field of research there is a constant interchange of information between the Office and industrial organizations and even the State Departments, in that country. There is also a permanent correspondence office of the International Labour Organization in Washington.[1] Further, as will be seen later, the United States played a very considerable part in shaping the present constitution of the Organization.

Article 421 of the Treaty provides that "The Members engage to apply conventions which they

Chamber of Commerce of the United States, in January 1923, and which was supported later by Mr. Gompers on behalf of the American Federation of Labour, is an instance of the influential support now being given in favour of the active participation of the United States in the International Labour Organization. Mr. Barnes stated:

> "America has a considerable pride that its own standard of living is manifestly higher than that of any other country. It desires to maintain and advance that standard, but as a surplus-producing country, selling in the export markets of the world, there is a limit in the disparity in living conditions and wage scales which cannot be wholly overcome even by American resourcefulness and American adaptability to large-scale production through mechanical aids. . . . Manifestly, also, both in the interests of an increase in human standards and also in the self-interest of national protection of our own standards, the process of equalization in wages and working conditions between ourselves and our industrial competitors should be one of levelling up their standards, rather than levelling down our own. It is with this idea that *the Chamber of Commerce of the United States is seriously considering the advisability of participation in the Employers' Section of the International Labour Office, so that we may understand and influence comparative world industrial standards.*" (*International Labour Review*, September 23, p. 374.)

[1] See Chapter II, p. 63. See also Appendix IV. This will show that the United States is third in importance on the list showing the volume of correspondence between the Office and other countries.

have ratified . . . to their colonies, protectorates and possessions which are not fully self-governing."

No explicit mention of the function of the International Labour Organization with regard to mandated territories is contained in Part XIII of the Treaty. But the aims and objects of both organizations leave no doubt as to the right of intervention of the Labour Organization, in matters affecting the welfare of workers in all countries coming within the sphere of influence of the League of Nations. The Permanent Mandates Committee of the League of Nations, composed of nine members, the majority of whom must not be from Mandatory Powers, is assisted by an advisory representative of the International Labour Office. His task is to help the Commission on all labour questions affecting the mandated territories. He has been asked by the Commission to study on its behalf the question of slavery in these areas, the commission rightly judging that these two subjects cannot satisfactorily be considered apart.

The International Labour Organization functions through its three organs: the International Labour Conference, the Governing Body and the International Labour Office.

The essential feature in the constitution of the deliberative bodies of the Organization—the Conference and the Governing Body—is that representation on these bodies is in the proportion of two Government representatives to one employers' and one workers' representative. The question of the relative number of delegates representing the Government, employers and workers on these bodies was the subject of much controversy at the Commission on International Labour Legislation in 1919.[1]

The American, Italian and Cuban delegations

[1] See Report and Minutes of the Commission on International Labour Legislation, Peace Conference 1919. Tipografia "Italia." Roma. 1921. p. 3.

contended that these three bodies should be represented in equal proportions. It was maintained that "the working classes would never be satisfied with a representation which left the Government and the employers combined in a majority of three to their one," and would lose confidence in the power of such a Conference to act on their behalf. The British and other delegations contested this point of view. First of all, the Governments would in all probability vote more often with the workers than against them, as indeed has happened in the Labour Conferences. Further, as the purpose of the Conference was to draw up Conventions which States would have to present to their legislative authorities "it was essential that Governments should have at least an equal vote." To place Governments in the position where they might be bound by a Conference in which they were in a minority would have the effect of rendering the proceedings of the Conference nugatory and would quickly destroy its influence and prestige. Like so many other bodies, it would be restricted to passing resolutions without any expectation of such resolutions being translated into action. So far this basis of representation, both on the Governing Body in the Conference and on the Commissions, has been fully justified by the practical results obtained.

The International Labour Conference, which is described in a later chapter, meets annually, and is composed of State delegations of Government, employers' and workers' representatives in the proportions mentioned above. Its resolutions take the form either of conventions or recommendations, which have to be adopted by a two-thirds majority. A convention is drafted in such a form that it can frequently be embodied practically without substantial alteration, as a part of the national law of a State which ratifies it. It is drafted with all the details of application and exceptions that are usual

in a British House of Commons Bill. A recommendation, on the other hand, is a declaration of policy or principle which does not generally go into such detail as the convention. The terms of its application are also not so strict. A convention to be ratified must be accepted *in toto*. This acceptance entails the obligation of its remaining in force for a period of ten years. A recommendation may be accepted in full or in part; it is intended to lay down a general line of policy which States are asked to translate into legislation adapted to their particular circumstances. Such legislation is in no way binding in the future as in the case of the conventions.

Each State is under the obligation[1] to submit to conventions and recommendations, within one year, or in exceptional circumstances within eighteen months, to the authority competent to ratify or embody such decisions in national legislation. In other words whether the delegates of a country have or have not approved of a decision passed by the Conference, their government is bound to submit this decision to the competent body for final action. It appears clear from an examination of the Minutes of the Paris Commission that the "competent authority" in a country where a representative government exists is parliament; and this view has been accepted in the great majority of States.[2]

The ultimate decision for the application of the Geneva resolutions therefore rests with the public opinion in each country, as expressed through its appointed representatives. The Government of the day may be hostile to the adoption of a particular

[1] Article 405 of the Treaty, para. 5.

[2] It appears to be held by the British Government that the "competent authority" in question is the King in Council; nevertheless in practice the Government has submitted the decisions of the Conference, and its proposals with regard to them, to parliament.

measure. But this procedure enables such a measure, adopted by an over two-thirds majority at a representative international conference, to be at least presented to Parliament for discussion and decision. There, however, the obligation ceases.[1]

At the Commission on International Labour Legislation a proposal was put forward by the French and Italian Delegations that the States should be under an obligation to ratify the conventions adopted by the Conference whether their legislative authorities approved them or not, subject to the right of appeal to the Executive Council of the League of Nations. In other words, they desired that this Conference should be a world parliament with the power to enforce legislation without the agreement of the countries concerned. This was not a practicable proposal. Even if such a power had been conferred on the Labour Conference it never could have been enforced. It would be regarded by most countries as an unbearable infringement of national sovereignty and even of personal freedom. We have only to note the antagonism of the Dominions to any proposal that part of their internal policy should be controlled by Great Britain, to realize how great would be the volume of opposition to allowing the authorities in Geneva to adopt such arbitrary legislative methods.

The other members of the Commission were of the opinion "that if an attempt were made at this stage to deprive States of a large measure of their sovereignty in regard to labour legislation, the result would be that a considerable number of States would either refuse to accept the convention altogether, or, if they accepted it, would subsequently denounce it, and might even prefer to resign their membership of the League of Nations rather than jeopardize their national economic position by being obliged to carry

[1] For legal aspect of this question see article by Dr. J. de Vilallonga, *International Labour Review*, February 1924.

out the decisions of the International Labour Conference."

The proposal put forward by the British Empire Delegation was that all decisions should take the form of conventions and if passed by two-thirds majority of the Conference should be ratified within a year, or in exceptional circumstances, within eighteen months, by the competent authority to ratify in each country. The United States Delegation, however, took the point of view that all that was required was that the decisions of the Conference should be made in the form of resolutions without their being in any way binding upon the countries concerned. They further pointed out the considerable difficulty that a Federal Government like themselves would experience if asked to ratify an international treaty of this kind. For, in the United States, the Federal Government has not the power to enforce all labour legislation in the various States. It could not even guarantee that the States, even if they passed the necessary legislation to give effect to a convention, would put it into effective operation, nor could it provide against the possibility of such legislation being declared unconstitutional by the Supreme Court.

> "The Commission were faced by a serious dilemma, which threatened to make the establishment of any real system of international labour legislation impossible. On the one hand, its range and effectiveness would be almost fatally limited if a country of such industrial importance as the United States did not participate. On the other hand, if the scheme were so weakened as to impose no obligation on States to give effect to, or even to bring before their legislative authorities, the decisions of the International Labour Conference, it was clear that its work would tend to be confined to the mere passage

of resolutions instead of resulting in the promotion of social reform with the sanction of law behind them."[1]

It was for these considerations that the form of recommendations was introduced. It was agreed, that in the case of Federal States not having power to deal with labour legislation for their constituent States, they would be deemed to have the right to accept any convention passed by the Conference, in the form of a recommendation instead of a Draft Convention.[2]

The exception in the case of Federal States is of great importance. "It places the United States and States which are in a similar position under a less degree of obligation than other States in regard to Draft Conventions. But it will be observed that the exception extends only to those Federal States which are subject to limitations in respect of their treaty-making powers in labour matters, and further, that it only extends in so far as those limitations apply in any particular case. It will not apply in the case of a convention to which the limitations do not apply, or after any such limitations as may at present exist have been removed."

The introduction of a recommendation side by side with a convention has proved a useful innovation.

[1] Report of the Commission on International Labour Legislation. 1919. p. 7.

[2] In an English draft the following proposal with regard to Federal States was made:

"In the case of a Federal State, if the power of legislation on any matters dealt with in a convention rests with the legislatures of the constituent states, the High Contracting Party shall communicate the convention to the constituent states and each such state may adhere separately to the convention. Notification of the adhesion of any such state through the Federal Government to the Director shall be deemed to be the ratification of the convention in respect of that state."

It has enabled the attention of governments to be drawn to measures for the solution of social problems which were not yet ripe for international legislative action. The tendency has been in the later Conferences for a line of policy to be first tested in the form of a recommendation before it is finally embodied in the more rigorously framed convention.

The ratification of a convention is registered by the Secretary-General of the League of Nations. It at present binds the country concerned to the terms of the convention for a period of ten years. Every year the members of the Organization submit a report to the International Labour Office showing the measures they have taken to give effect to the provisions of the conventions to which they have been a party. These reports are communicated in the form prescribed by the Governing Body, and their consideration is one of the essential duties of the Conference.[1]

The Treaty lays down various forms of coercion should the terms of a convention not be applied.[2] Any other Government which has accepted the obligation about which complaint arises, any employers' or workers' organization, or delegate of the Conference can bring to the notice of the Governing Body any alleged non-fulfilment of parts of the convention. The Governing Body is entitled to look into the matter and to require the government to furnish a statement on the points at issue.[3] Should the government neglect to reply within a reasonable time, or if its reply is thought to be unsatisfactory, the Governing Body is entitled to publish the com-

[1] See page 132.

[2] See Articles 409 to 420 of the Treaty of Versailles.

[3] Should the Governing Body contain no representative of the Government affected by the complaint, that Government has the right to send a representative to participate in the proceedings of the Governing Body, in so far as they refer to the complaint.

plaint. Should this not bring satisfaction, the Governing Body may refer the matter to a Commission of Inquiry. This Commission of Inquiry is composed of three persons, one of whom shall be a representative of the employers, one a representative of workers, and one a person of independent standing. The members of this Commission are selected from a standing panel, composed of three nominations from each State Member. No member of the Commission can belong to any State directly concerned with the complaint. By the terms of the Treaty each State is pledged to submit full information to this Commission, which in its report may "indicate the measures, if any, of an economic character against a defaulting government, which it considers to be appropriate and which it considers other governments would be justified in adopting." If the government fails to acquiesce the matter may finally be referred to the Permanent Court of International Justice.

The economic sanctions, which theoretically seem merely to round up the general structure of the organization, are of no present practical importance.[1] One can hardly conceive, in the present state of the world, of a general economic boycott of a country, especially if it was one of the large Powers, for failing to observe some clause in a labour convention it had ratified. The forces which the International Labour Organization can muster to defend the purpose for which it was created do not rest upon

[1] The Commission on International Labour Legislation (1919) stated in this report that the "procedure of sanctions has been carefully devised in order to avoid the imposition of penalties except in the last resort, when a State has flagrantly and persistently refused to carry out its obligations under a convention. It can be hardly doubted that it will seldom, if ever, be necessary to bring these powers into operation, but the Commission consider that the fact of their existence is nevertheless a matter of almost vital importance to the success of the scheme."

the threat of armies or of economic boycott. Its strength must reside in its power to appeal to international public opinion. Recent experience has shown that the impartial presentation of the facts relating to international disputes has wielded an appreciable influence on the turn of events. If the Organization cannot enforce the principles laid down in Part XIII, it can at least lay down an impartial statement of any definite violation that is complained of.

When the White Regime was introduced in Hungary in 1920, it was stated that freedom of association was abolished and trade unionists were prosecuted. As a result a continual complaints the Hungarian Minister of Foreign Affairs agreed that the International Labour Office should send out a Commission of Inquiry to ascertain the real truth of these allegations. The result of this inquiry was published by the International Labour Office[1] and presented an objective and impersonal collection of documents and facts assembled by the Commission without any comments. " As a result, the Hungarian Government was forced to adopt measures on various points to which attention had been drawn by members of the Commission.[2] The facts portrayed by this Commission were known to a great many people, and had been reiterated by trade union leaders in many countries. But their publication by an impartial and authoritative body, able to vouch for the accuracy of the facts disclosed, touched a much wider field of public opinion than could ever have been reached by a report prepared by any sectional or interested party.

A complaint on similar lines was made by the Spanish General Union of Workers of Spain against the violation of the principle of the freedom

[1] Trade Union Conditions in Hungary, 1921.

[2] Report of the Director to the Third Session of the Conference, p. 223. Official Bulletin. Vol. IV. No. 17.

WINNIPEG

of association in that country. In this case the Governing Body published the statement made by the Spanish Trade Unionists and the reply from the Spanish Government.[1] Another instance of this kind occurred in Persia where the attention of the International Labour Office was called to the deplorable conditions of labour in the weaving industry in Kerman, where children were employed at the age of five.[2] As a result of diplomatic action taken by the International Labour Office the Persian Government was induced to take stringent measures to remedy this unfortunate situation.

The part played by the International Labour Office on these three occasions indicates a line of policy that could usefully be followed in the future. One of the causes of injustice is that people are blinded by the passions of the hour and by the one-sided statements that are made often to hide the real issues. The existence of an impartial body of officials in the Secretariat of the League of Nations and in the International Labour Office enables the facts of any dispute endangering peaceful international relations to be placed before the world public opinion. Once public opinion has an opportunity of judging the points at issue on their true merits the first step forward is made towards a real understanding between peoples.

The Governing Body[3] is the second organ which constitutes the Organization. The International Labour Office, which is the executive body, functions under its direction. Like the Council of the League, the Governing Body meets approximately every three months. It is at present composed of twenty-four members, of whom twelve represent the

[1] Official Bulletin. Vol. III. No. 7. 16 February 1921. p. 3.

[2] Director's Report to the Fourth Session, p. 202.

[3] Its constitution is laid down by 393 of the Treaty of Versailles.

governments, six the employers and six the workers. Of the twelve government delegates, eight are appointed by the States of chief industrial importance and four are appointed by the countries nominated for that purpose by all the Government Delegates at the Conference, excluding those of the eight States already represented. The Governing Body is elected for a term of three years.

The Treaty of Versailles had continually given special privileges to the Great Powers. It had provided that, for instance, five of the Principal Allied and Associated Powers[1] should have permanent seats on the Council of the League. This had been much resented by the Small Powers. They insisted that, if any preference had to be given in the allotment of seats on the Governing Body, it should be given to countries which were important in connection with the questions dealt with by the Organization and which were not merely the most powerful military Powers of the moment.[2] Hence the formula of the "eight States of chief industrial importance," which allowed Germany, one of the defeated enemy countries, to have a place immediately on this important body. The Treaty provided that any question as to which are the States of chief industrial importance was to be settled by the Council of the League of Nations.[3]

The composition of the Governing Body gives

[1] The Principal Allied and Associated Powers are the following: United States, British Empire, France, Italy and Japan (Preamble to the Treaty of Versailles of 28 June 1919).

[2] Article 4 of the Covenant.

[3] The States of chief industrial importance are: Belgium, Canada, France, Germany, Great Britain, India, Italy and Japan. Before the last election of the Governing Body in 1922, a place among these eight States was reserved for the United States of America. As the U.S.A. has not become a member of the Organization her place has been taken by India.

rise to many difficulties. First, how is it possible to determine which are the "eight States of chief industrial importance"? Secondly, how is it possible to obtain adequate international representation on such a body? The difficulty of drawing up a list of countries of chief industrial importance, likely to be acceptable to all the claimants to a place, seemed insuperable.[1] Further, there was the insistent claim of the non-European countries that they were inadequately represented. For the first three years of its existence the Governing Body worked under the shadow of their censure. During

[1] In 1922 the Council of the League of Nations appointed a Commission to consider the criteria to be adopted in the selection of the eight States of chief industrial importance. It was composed of four members of the Governing Body and experts appointed by the Secretary-general of the League. After numerous sittings they finally agreed, subject to numerous reservations as to how these statistics should be compiled, to a basis similar in many respects to that which the Organizing Committee of the First Session of the Conference (1919) had decided the question in determining the allocation of seats on the first Governing Body.

These criteria are as follow:

(1) The total wage-earning industrial population.
(2) The proportion which the wage-earning industrial population bears to the whole population.
(3) Total horse power (steam and water power) not including locomotives and vessels.
(4) Horse power per head of population.
(5) Total length of railways.
(6) Length of railways per thousand square kilometres of territory.
(7) Development of the mercantile marine.

On this basis the eight States of chief industrial importance (within the International Labour Organization) were determined in the following order: Great Britain (1), Germany (2), France (3), Canada (4), Italy (5), Belgium (6), Japan (7), India (8).

(For further details see Reports C. 410. M. 316. 1922. V. and C. 643 (1). M. 400. 1922. sent to Members of the Council and Members of the League.)

that period only Argentine, Canada and Japan were represented amongst all these. The twenty States of Latin America were represented by only one seat out of twenty-four.

As a way out of these difficulties, the Governing Body placed an amendment to the Article[1] governing its constitution before the Fourth Session of the Conference.[2] The draft of this amendment provided for a total membership of thirty-two. It attempted to avoid the difficulty of deciding upon the eight States of chief industrial importance by substituting six named States.[3] The Conference, whilst accepting the increased membership, restored the original wording of the Treaty with regard to the question of the States of chief industrial importance. It also provided that six of the government representatives and two each of the employers' and workers' representatives should belong to non-European States. This will be the future constitution of the Governing Body if the proposal is ratified by the State Members.[4] In the meantime, when the Governing Body was elected for the term 1922-5, India and South Africa were added to the number of extra European countries represented.

The new solution proposed is on the whole satisfactory. The question of the eight States of chief industrial importance remains open. The increase in the number of the members of the Governing Body may increase the difficulty of

[1] Article 393 of the Treaty of Versailles and corresponding Articles of the other Peace Treaties.

[2] See Questionnaire on the Reform of the Constitution of the Governing Body of the International Labour Office prepared for the Fourth Session of the Conference, 1922.

[3] France, Germany, Great Britain, Italy, Japan and United States.

[4] Under Article 422, for this amendment to Article 393 to take effect it must be ratified by "the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members."

conducting efficient business by that already large body. But the increased representation of non-European countries is an important compensation. It may help to refute the contention sometimes put forward by these States that the Organization is a European and not a world Organization. It should help to increase their interest and active participation in the work of the Organization.

The functions of the Governing Body are manifold. As has been seen, it plays an important part in the question of sanctions. It is responsible for guiding the policy of the International Labour Office and for the appointment of its Director. It is with the Governing Body that there lies the task of selecting the items on the Agenda of the Conference. The only exception is in the event of the Conference obtaining a two-thirds majority in favour of placing a particular question on the Agenda of its future Session. But the right of the Conference in this respect is rarely exercised.[1]

But perhaps the most interesting feature of the Governing Body, from the international point of view, is the quality of its representation. It is the only official international body on which there are international representatives. The government representatives of the Governing Body are appointed by the various States in the same way as with the Council of the League. But the employers' and workers' representatives are elected on quite a different basis. They are nominated respectively by the employers' and workers' groups at the Conference. Their nomination is determined not by their nationality but by their qualifications for representing the group as a whole. This is an important departure in the conduct of international affairs. Under Article 408 and the following Articles of the Treaty of Versailles, the Governing Body is entrusted with considerable powers in the event of a complaint

[1] See footnote p. 98 and p. 130.

being formulated against a State failing to comply with the maintenance of certain obligations to which it has pledged itself. But such powers would be exercised by a body, half the members of which represent purely voluntary industrial organizations. The same applies in the case of the selection of the Agenda of the Conference. The Governing Body may reject a proposal put forward by a government representative and approve of another put forward by a representative of the employers' or workers' group. Mention should also be made of the fact that the expenses of the Governing Body are paid internationally. The expenses of all the delegates attending the Conference are paid for nationally: those of the Governing Body are paid by the International Labour Office.

One aspect of the Governing Body which may perhaps be regretted is the secrecy of its Sessions. These are not open to the public or the press. Its minutes are prepared in a summarized form and are treated as confidential. So confidential are these minutes considered that a discussion arose at one of the sittings of the Governing Body as to whether a State Member not represented on this Body had the right to receive a copy of them. Whilst most of the sittings of the Council of the League are open to the public, it seems a pity that those of the Governing Body should be held behind closed doors. It may be advanced with reason that the Governing Body should have the right to sit in private. But this should be the exception rather than the rule. The League of Nations was intended to inaugurate a new era of open diplomacy. It is unfortunate that the proceedings of an important body of its Labour Organization, created to meet the aspirations of the large mass of wage-earners throughout the world, should be conducted according to the precepts of the old diplomatic school. And there is injury in other ways. The basis of international institutions rests

largely on the support of public opinion. This opinion can only be appealed to in a time of crisis if its interest in such institutions is continually kept alert. But if the activities of the institution are to be veiled to the world by non-committal "communiques" its position will be prejudiced thereby.

The third organ of the Organization is its International Labour Office. The details of its composition and functions will be described in subsequent chapters. It is only necessary here to explain that it is a permanent administration, functioning on the lines of a national public department. Its seat is in Geneva, and it is composed of over three hundred officials of nearly thirty different nationalities. It is responsible for the technical preparation of the Conference and the work of scientific study and research connected with the Organization.

Thus, very summarily, may be explained some aspects of the functions and constitution of the Organization. It would be beyond the limited scope of this book (which is only intended to deal with certain problems of international administration) to discuss at length the degree of success the Organization has achieved in promoting uniform labour legislation. At the first five Sessions of its Conference it adopted sixteen conventions and twenty recommendations.[1] Of these in March 1924 104 had been formally registered, 22 further ratifications had been authorized but not yet registered, and 137 further ratifications had been recommended for adoption in the various countries. In addition, some 175 legislative measures had also been adopted, introduced or prepared, with a view to applying these conventions and recommendations.

[1] See Appendices VII and VIII for details of the conventions and recommendations and details of their application.

Considerable disappointment has been felt that the ratifications have not been more numerous. Certain factors may, however, be suggested to account for the discrepancy between the number of ratifications of conventions and the number of measures adopted for the application of its provisions. The newly created Organization has been put to the hard test of experience at a great disadvantage—during a period of continued political and economic upheaval. The greater number of the decisions of the Conference were passed during the two years following the Armistice, during a brief period of prosperity which was followed by severe economic depression. In these circumstances, Governments have hesitated to bind themselves by any formal international treaty for such a long period as ten years. In many cases they desired the guarantee that other countries (their industrial competitors) should bind themselves to similar obligations. Hence the evolution of the idea of "conditional" ratification, which is bound to play an important part in the future development of the Organization.[1]

Many of the conventions have been applied in various countries, though, for the above reasons, they have not been formally ratified. There are numerous examples in other fields where draft international agreements were never ratified, but yet played a great part in determining the conduct of the countries by which they were elaborated.[2] The fact that only four years after the first International Labour Conference the total measures for the

[1] Director's Report to the Fourth Session of the Conference, p. 207-224. Questionnaire sent by the Office to Governments (1923) on the question of the Amendment of Conventions.

[2] The Conference of Brussels, 1874, broke up after signing—merely as a record of its proceedings—the Declaration of Brussels. This Declaration, which never received any official acceptance, excited a profound influence on subsequent practice in land warfare, and served as a

ratification and application of the conventions and recommendations amounted to over five hundred is one that should be noted with satisfaction, especially when it is considered that the greatest advance in social legislation has been made in Eastern countries.[1]

Gentz, in a memorandum on the Congress of Vienna, wrote that "the great phases of the reconstruction of the social order," the "regeneration of the European political system," "lasting peace based on a fair distribution of forces," etc., were being discussed "to quieten the mass of the people, and to give to that meeting an appearance of dignity and grandeur," but that the real object of the Congress was "the division of the spoils of the vanquished among the victors."[2] Such a comment would have been to a certain extent justified a hundred years later at the Peace Conference of

model for the Hague Conventions on the Laws and Customs of War drawn up from 1899 to 1907. The Declaration of London on Naval Warfare, 1909, which has never been ratified by any of the signatory Powers, was nevertheless recognized during the War as the standard by which belligerent action at sea should be guided. Great Britain, France, Germany, Austria—all declared their intention of observing it. As far as Great Britain was concerned, it was observed with certain declared modifications—particularly regarding contraband, until the Orders in Council, 7 July 1916. The Declaration of Paris, 1856, regarding effective blockade, immunity of neutral goods, and the abolition of privateering, has never been adhered to by the United States, which, however, have constantly observed it. It has, in fact, though originally binding only on Great Britain, Russia, France, and Turkey, come to be regarded as universal international law.

[1] See page 23 and Appendices VII and VIII for action taken by India, Japan and China. Also article by Sir Ernest Low, *International Labour Review*, January 1922; speech of H. E. Professor Adatchi, Fifth Session of the Conference, Provisional Record Fifth Session. 1923. p. 11.

[2] Memoirs of Metternich. Vol. II. p. 474.

Versailles. In both cases, among the people worn out by deadly conflict, disillusioned as to the power of the sword to achieve any lasting gain, there was an earnest and profound desire for peace which coincided with a new conception of liberty. In both cases also the question of the distribution of spoils was the leading concern of the diplomats. But in this respect the two Conferences differed. Whilst the aspirations of Vienna were expressed merely in words, those of Versailles were formulated in the much more living forms of the two great international organizations that were there created.

Many statesmen, amongst whom were certain of those responsible for framing Part XIII of the Treaty, did not set much importance on the so-called "Charter of Labour" and the principles laid down in the Preamble.[1] But these have their true significance. The solemn acceptance in a Treaty endorsed by more than fifty countries of such ideas as "peace can only be established if based on social justice" and "the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve conditions of labour in their own countries" has an important historical significance. The embodiment of concession to new ideas in the form of treaties does not of itself ensure the continual acceptance of such ideas. But it is a step in that direction. Magna Charta, the Declaration of the Rights of Man, did not of themselves ensure individual liberty or religious toleration. But they formed a rampart behind which, when these ideas were attacked and violated, those who believed in them could stand in their defence. The standards laid down by the Covenant of the League and Part XIII of the Treaty may be as far ahead of their time as were the principles of Liberalism, which found

[1] "From Workshop to Cabinet," by the Rt. Hon. George W. Barnes. 1923. p. 252.

expression immediately after the Napoleonic wars. But, as in those days, they seem bound to form standards which succeeding generations will strive to achieve. The supporters of the League have at least this advantage over the supporters of the corresponding ideas of a century ago: they have carefully planned and actively working organizations capable of bringing such aspirations to fruition in the common life of the people. The various parts of the Treaty of Versailles, which divided the spoils of victory, may vanish in a day; but the best parts of the Treaty—the Covenant of the League and Part XIII—will remain as a solid contribution to world peace and world reconstruction.

CHAPTER II

INTERNAL ADMINISTRATION OF THE INTERNATIONAL LABOUR OFFICE [1]

THE Treaty of Versailles introduced a new factor in the polity of Nations, i.e., an International Civil Service. It often happened in the past, as in the case of Colonial Administration, that officers of different nationality, speaking different languages, worked side by side in the public services of a particular country. But the Secretariats of the League of Nations and the International Labour Office are the first official administrations on a really large scale composed of persons of different nationalities who act under the control, not of one country, but of a whole group of nations from whom their final authority is derived.

The effectiveness of international bodies like the League and the International Labour Organization is even more dependent on the efficiency of the personnel, i.e., of permanent civil servants, than is the case with national governments. Most parliaments are usually in session from four to eight months a year. There is generally an opportunity for the mature consideration of their decisions, or, at any rate, fairly adequate occasions occur when it is possible to amend or repeal loosely drafted or overhasty legislation. But the yearly sessions of the Assembly, or the International Labour Conference,

[1] See Appendix I, a plan of the International Labour Organization.

last only three or four weeks. At these meetings decisions are often required upon questions which may have a far-reaching effect upon the world. Yet many representatives, occupied at other times with purely national problems, have no other reliable source of information about these questions than that supplied in the reports prepared by the permanent international administration. Moreover, if the decisions are in the form of conventions or international treaties, the repeal or amendment of even one clause carelessly drafted is a matter which has to be taken up separately with all the countries concerned.

For an international conference to reach really effective decisions, it is an absolute necessity that it should be assisted by a thoroughly trained secretariat at the service of all the countries concerned. Such a body should be responsible for the technical preparation of all the questions dealt with at the Conference. It should assist the officers of the Conference in steering a way through the discussions, co-ordinating results and crystallizing conclusions. It should, when necessary, be able to present the sometimes conflicting views of the various countries without personal or national bias. Many prominent statesmen who attended the Genoa Conference stated that its failure was in no small measure due to the absence of any such technical body. And would it be presumptuous to assume, now that more facts are coming to light as to the way in which the decisions of the Peace Conference in Paris were arrived at, that a great deal of the doing and subsequent undoing of its work might have been unnecessary had that Conference been assisted by a staff trained to *think internationally?*

As the functions of the International Labour Organization are restricted to dealing with definite and limited problems of social policy, the part played by its permanent officials may in some respects be

relatively more important than that of the Secretariat of the League of Nations—in so far as these deal with questions of foreign policy rather than economic questions. On this point Lord Eustace Percy[1] recently gave utterance to an interesting statement directly bearing on the matter. "In foreign affairs any man of average intelligence and some knowledge of foreign countries and of history can formulate for himself an arguably sound foreign policy. There is, in fact, less secrecy about international relations in one sense than about internal administration. I have had the run of secret archives of foreign policy for ten fairly important years, but I could produce to you ten men, never in government service, with as good a knowledge of the real facts of any international problem, including the international agreements governing them, for every one, similarly placed, who would have given even a vaguely founded opinion on many problems of internal administration." To decide how it is possible, by international action or legislation, to mitigate the evil effects of a particular industrial disease, or to arrive at an efficient agreement as to the exceptions that should be allowed in the case of continuous processes in an Hours of Labour Convention, are problems that can be settled not so much on lines of general sympathy as by careful examination of the technical aspects of the problems, the preparation of which is the work of the expert.

The organization of the International Labour Office has not developed according to any premeditated plan. "The machinery was created by the necessities of the work, not *vice versa*." It has grown from a small secretariat of about forty persons working in temporary offices in London in the early months of

[1] "Lecture on Civil Service and Foreign Policy," delivered to Society of Civil Servants, 1920.

1920, to a graded and permanently established Civil Service in Geneva. The manner of its growth may be of interest to the students of public administration, for its organizers were men with considerable experience in English and French public affairs, and the result has been the blending of the somewhat conflicting methods of administration prevailing in both countries. M. Albert Thomas, who was appointed the Director of Office at the age of about forty, had organized the mobilization of French Industry during the War as a Minister of Munitions. Mr. H. B. Butler, C.B., his Deputy Director, one of the youngest men in the higher ranks of English Civil Service, was Permanent Assistant Secretary to the Ministry of Labour, where he was largely responsible for its vast development during the War.

The Director is answerable to the Governing Body and to the Conference for the administration of the permanent office, much in the same way as a Minister is responsible to Parliament for the administration of his Department. In some quarters the view has been taken that the relation of the Director to the Governing Body should be regarded in much the same light as that of a Permanent Secretary of a British Department to its Minister. But this view does not take into account the very different situation in which the Director may find himself placed. A British Civil Servant cannot be attacked individually. He is supposed only to be the instrument of the Minister responsible for his Department. But the Director and the International Labour Office are continually being attacked without the responsibility falling directly on the Governing Body. It is clearly impossible for a body of twenty-four persons (to be increased shortly to thirty-two), composed of representatives of different countries and different groups, to be in a position to reply continuously, and as one body, to such criticisms. Moreover, it should be borne in mind that the Governing Body meets only

for a few days four times a year. In the interval between these meetings the Director may suddenly be obliged to shoulder immense responsibilities and himself reply to attacks and criticisms. For these reasons his position should be in part likened to that of a Cabinet Minister, in part to that of a Civil Servant. The Deputy Director " supervises generally the work of the staff " but " has no responsibility independent of the Director." Under him are also grouped the common services, such as the registry, and postal services, staff branch, finance, etc. In practice, however, the position of the Deputy Director is " one of internal arrangement." There has always been constant and close collaboration between him and the Director in every one of the Organization's fields of activity. The work of the Office obliges the Director to spend much of his time in other countries and in his absence the Deputy Director takes charge.

The original scheme adopted in 1920[1] established two large divisions dealing with the main activities of the Organization: i.e., the Diplomatic Division charged with organizing the Conference; the Scientific Division responsible for publications and the collection and distribution of information; there was also the usual central services.[2] A special feature of the organization was the large Cabinet Secretariat attached to the Director, together with about fourteen technical sections devoted to individual lines of research. The latter fed the requirements of the two main divisions, but were responsible to the Director alone. As in the case of the French Civil Service, the Cabinet acted as a sort of general secretariat under the direction of a Chef de Cabinet. In addition to the general secretariat and the Director's

[1] Director's Report to Third Session of the Conference, p. 14.

[2] Comprising accountancy staff, typists' pool, etc.

private secretariat, the Cabinet also contained a Liaison Branch whose duties were to provide reliable information as to the social and industrial movements in the various countries and to act as the channel for making the work of the Organization more widely known. The Liaison Branch was also responsible for keeping in touch with the correspondence offices in Paris, London, Rome, Berlin and Washington. It had been the Director's original intention to develop the work of this Branch much more fully by the creation of a third main department, which he had intended to call the Political Division. The Governing Body, however, and in particular the British representative, showed a certain antagonism to this idea, largely on the ground that it would be suspected of political intrigue. The Director was therefore forced to modify his plan and this Liaison Branch was created instead.

This scheme of organization, though quite adequate to the early needs of the Office, did not really meet the requirements of a permanent administration. Moreover, departmental responsibility was not always clearly defined. The functions of the Cabinet were too numerous. There was a certain anomaly in the fact that, side by side with the large divisions directed by officials ranking immediately after the Director and Deputy Director, there were the small technical sections the heads of which were directly responsible to the Director without having to pass through any other executive control. This independence of the technical sections involved too much supervision on the part of the Director himself. Documents might on that account be approved which had not received the mature consideration expected from an efficiently organized public department. There was also the possibility of decisions being taken concerning the work of the technical sections without proper consultation with the heads of the divisions affected—a possible cause of much

the same kind of friction as existed between the British Foreign Office and the Prime Minister's War Secretariat.[1]

After an experience of nearly two years, in October 1921 the whole question of the organization of the International Labour Office and the Secretariat was investigated by a Commission of Experts, appointed by the Assembly of the League. The Chairman of this Committee was the late M. Noblemaire, rapporteur of the Budget in the French Chamber of Deputies, and its Secretary, Mr. Johnson, who had been specially appointed by the Treasury to visit British Government Departments and to effect economies in their over-inflated staffs. As a result, it was decided to create the present three divisions instead of the then existing two: the Diplomatic Division to organize and prepare the work of the Conferences and to deal with all official correspondence between the Office and Governments; the Intelligence and Liaison Division to be responsible for the collection and distribution of information, and the Research Division, responsible for scientific studies and inquiries. It was also decided to increase the responsibility of the chiefs of divisions, and to loosen the control of the Cabinet. The various technical sections were attached to the divisions most closely connected with their research. Amongst these divisions were also distributed many of the functions formerly belonging to the Cabinet, which was thus left free to "assume its proper character as an organ of co-ordination."[2]

[1] Another example of a difficulty of this kind arose in France during the negotiations of the Moroccan Treaty in 1911. All the negotiations were carried out personally by Mr. Caillaux, Prime Minister and Home Secretary, whilst Mr. Selves, Minister of Foreign Affairs, was kept completely out of these discussions.

[2] Director's Report to the Fourth Session of the Conference, p. 35.

The present internal organization of the Office is established after the manner of the public departments of Great Britain. But British Civil Service methods have been vindicated in other ways. These may not perhaps seem very important to the public at large, but they may be of interest to the student of administration when it is borne in mind that the International Labour Office is composed of officials from twenty-eight different nations. From the very beginning, despite the non-English officials' inability to understand its advantages, the English system of filing and method of dealing with correspondence was introduced.

In a French Ministry, there are generally a great many registries, corresponding to the various divisions of the Ministry. There is no index of all outgoing and incoming correspondence compiled by a central body. In fact, in many cases the registry is considered in the nature of the personal archives of the higher officials concerned.

In the French Foreign Office all correspondence is first sent to the Cabinet of the Minister, where it is opened. The Cabinet in a French Ministry is composed of persons, who need not be officials, in the personal confidence of the Minister. There is sometimes a certain rivalry between the members of the Cabinet and the officials of the Department. The Cabinet distributes the correspondence, what is important being submitted to the Minister and the remainder divided amongst the various sections of the Ministry. These sections, in agreement with the Minister, prepare an answer to the correspondence which is signed by the Minister, or by the chief official of the Ministry if the question is of secondary importance. But the Cabinet is often reproached for holding up files and dealing with matters without consulting the sections. This practice is more frequent in French Government Departments other than the French Foreign Office. It has happened even

that the Cabinet has absorbed all the work, leaving the rest of the Ministry with practically nothing to do. This has occurred when the Minister did not have confidence in his administration, and only allowed questions to be dealt with by men personally loyal to himself. The classic example of this was in the case of M. Pelletan, Minister of Marine under the Combes Ministry 1902-5.[1]

In a British Government Department there is a central registry available to everyone in the Department. All correspondence is considered as completely anonymous and is the property of the Department. Further, all communications addressed to the Department or its officials are opened by the central registry and gradually filter through to the heads of departments, only in so far as they cannot be dealt with by subordinates. This method of dealing with communications has an advantage over the somewhat looser methods used in the public services of continental countries. It relieves the strain on the executive, which is then left free to determine the general lines of policy, and tends towards developing the initiative of subordinates. It also ensures a continuity of policy, since, where a precedent exists, junior officials are bound to be guided by it.

In addition to such details of administration as those referred to, which must arise whenever a new public department in any country has to be organized, there are two problems, essentially international in character, which arise in connection with the secretariat of the League and of the International Labour Office. First there is the question of

[1] M. Pelletan was in favour of the policy of small units as against the policy of big ships. In this policy he had against him, he stated, the officials, most of the admirals and the metallurgical interests. He therefore decided to run the Department of the Navy on his own. Its business was carried out by his personal cabinet and not by the permanent officials.

language—how to find a living and workable medium of intercourse between over fifty different countries, which will be, as far as possible, fair to all concerned. And, secondly, bound up with this question, is the problem of the recruitment of an international staff.

With regard to the question of language, a new feature in the economy of diplomatic relations was introduced in the Peace Treaty by the use of two official diplomatic languages, English and French.[1] The Covenant of the League of Nations and Part XIII of the Treaty of Peace provided that all official documents should be published in both languages and that all speeches delivered in the Conferences and Committees should be interpreted in the alternative languages.

Obviously this duplication of nearly all the work of the League necessitates a staff largely in excess of what would be recruited in a national administration, and moreover involves administrative difficulties which national administrations have not to face.

During the early development of the Office the method of dealing with the work of translation had not been established on definite lines. Everyone who had time, even on occasion some of the higher officials, did a good deal of translation work. The routine translation, however, was not done in the

[1] The following is the distribution for official correspondence of the official languages between the various State Members of the International Labour Organization:

English.—Australia, Canada, Finland, Great Britain, India, Japan, Liberia, New Zealand, Norway, Persia, Siam, South Africa, Sweden.

French.—Albania, Argentine, Austria, Belgium, Bolivia, Brazil, Bulgaria, Chili, China, Colombia, Costa-Rica, Cuba, Denmark, Ecuador, Esthonia, France, Germany, Greece, Guatemala, Haiti, Hedjaz, Honduras, Hungary, Italy, Lettonia, Lithuania, Luxembourg, Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Roumania, El Salvador, Kingdom of the Serbs Croats and Slovenes, Spain, Sweden, Switzerland, Czecho-Slovakia, Uruguay, Venezuela.

Sections but in the Translation Service, which spent a good deal of its time putting official documents into English or French. By degrees, as the Office extended, it was found more practical to allow persons actually dealing with the question at issue to be responsible for their own translation work. It secured, on the whole, a better control of the accuracy of translation. Consequently, all the more important sections of the Office now deal as far as possible with their own translations into English and French. The Translation Service has therefore been reduced in numbers. Instead of being a general pool drawn on from all parts of the Office, it consists of one or two specialists in out-of-the-way languages, and a few general translators for work on the more common non-official languages, such as German and Italian, and on documents issued by specialized sections, where the staff is not sufficient to deal with its own translation.

Experience has shown that, for work of an official character, it is impractical to expect officials, whatever their knowledge of other languages may be, to draft letters or reports other than in their mother tongue. This factor has made it exceedingly difficult to recruit, in the Diplomatic Division, for instance, any but persons from English- and French-speaking countries. This division deals with all official communications to Governments and all work connected with the preparation of the Conference and the ratification of Conventions. Its Chief, Mr. E. J. Phelan, is an Irishman, and all the other positions as chiefs of sections and chiefs of sub-sections are divided equally between officials whose native language is English or French.

The two other divisions, devoted to the task of research and the collection and diffusion of information, contain a far greater number of officials of different nationality. The nature of their work makes this possible. Also, whilst the Diplomatic Division

is composed almost exclusively of the administrative type of official, these two other divisions contain a large number of experts. The expert is chosen for his recognized competence in a particular subject irrespective of his linguistic qualifications. "Men with a long experience of industrial administration often do not possess a sufficient knowledge of languages."[1] In their case, the adaptation of language is done by the translator, who is in many respects as much a specialist as the scientist.

If the question of official language was confined to English or French the difficulties would not be so great. But, as soon as the principle of more than one official language is admitted, a good case may be made out for increasing this number still further. At every International Conference motions have been proposed and received considerable support, for introducing German, Spanish and other languages as official languages of the Office. Ideally, it would be very satisfactory if the official languages could be increased to include the half-dozen ruling nations of the world whose media of speech are in most general use. The expenses of running the Organization is shared proportionately by all the State Members; but there is no doubt that English- and French-speaking countries, because of the use of the two official languages, get more than their fair proportion of the services of the Office through publications and a greater share for the allocation of posts to officials of their nationality than would otherwise be the case. But an increase in the number of languages would also increase the expense and considerably decrease working efficiency. To take only one example: the question of interpreting at the Conferences or at the Commissions. The Office is now responsible for providing interpreters into English and French. As

[1] Report of the Committee of Experts on the organization of the International Labour Office and the League of Nations, May 1921, p. 70.

is well known, it is very difficult to get a really first-class interpreter, for he has to summarize in another language a speech lasting anything up to twenty minutes with the assistance of only a few hurried notes. The difficulty in this connection is that the sort of man who has to do this kind of work is usually of the type capable of carrying out fairly responsible administrative duties also, and because of this very fact the staff of interpreters is continually changing. In the case of the International Labour Office there is no special interpreters' service as such. They are only borrowed temporarily during the Conference for the duty of interpreting—unfortunately most often at the time when the general pressure of work is greatest. But to find interpreters for German, Spanish and Italian, would not only greatly increase the number of the staff, but would inevitably so lengthen the time taken up by the deliberations of the Conference and the Commission that they would almost cease to function as deliberative bodies.[1] From the administrative point of view it would clearly be better to decrease the number of official languages and to use one language only, rather than to make any increase in their number.

Though it has not been found practicable to increase the number of official languages, every effort is being made to meet the needs of the vast number of State Members which use neither of the present official languages. For a very long time past many of the most important publications issued by the Office have also been published in German, Italian and Spanish. A short summary in Spanish and German of the proceedings is made daily during the Sessions of the yearly Conference. Questionnaires sent out to different countries for an important inquiry, like the inquiry into Production,

[1] This aspect of the question is being dealt with at length in subsequent chapters; see p. 111.

were prepared in more than a dozen different languages. The tendency is to increase the diffusion of publication in various languages, but to use only English and French for official communications and at the meetings of the deliberative bodies.

The question of languages is, in effect, the question of how to serve best the interest of the peoples of all the State Members and how to make the work of the Organization known. Its solution is being helped a great deal by the work that is being entrusted to the National Correspondence Offices abroad. There are such offices in London, Paris, Berlin, Rome and Washington, and the opening of similar offices in South America and Japan[1] is contemplated. The International Labour Office has also special representatives in a certain number of other countries—Belgium, Bulgaria, Greece, Poland and Spain, who are, however, only part-time servants of the Office.

The National Correspondence Office forms a channel both into and out of a particular country. It keeps the central Office in Geneva in constant touch with national events. It also serves as a clearing house for all those desiring to follow the activities of the International Labour Office, to co-operate in its work, or to make use of its services. It is, in reality, an attempt at decentralization. All communications from Geneva addressed to a country where a correspondence office exists are sent through that office. The Director of the Correspondence Office, who is in daily contact with events and persons in his country, is by this means enabled to give effective guidance to the activities of the central Office. He may thus prevent the occurrence of mistakes which might otherwise arise when the official is isolated from the people with whom he has to deal.

Further, the National Correspondence Office, by

[1] A correspondence office is being opened in Tokio in 1924.

the personal relations of its officials, by means of Press releases, and by issuing in some cases even its own publications,[1] is able to provide that living link which is so essential if an international organization is to be kept from degenerating into a lifeless bureaucracy. Such a tendency would be difficult to resist were the differences of language to restrict such intercourse to the narrow channels which characterized the old system of diplomatic relations.

In addition to these correspondence offices, which enable the Office to keep in daily touch with national events, a great many countries have permanent social *attachés* in Geneva to enable them to keep in continual contact with the work of the International Labour Office. Representatives of fourteen different countries[2] have already been appointed in this capacity. These social *attachés* may be consular representatives in Geneva or Berne, as in the case of Bulgaria, Chili, Italy and Venezuela. They may be in charge of a permanent delegation in Geneva, dealing with all the institutions of the League, as with Albania, China, Finland, Greece and Hungary. Or again they may be entrusted exclusively with the work of the International Labour Office, as is the case with Japan, Poland and Czecho-Slovakia. The Japanese Government has a permanent delegation to the International Labour Office, composed of seven members. It was established in Geneva soon after the arrival of the International Labour Office at that city. According to a Japanese official statement it was set up as a

[1] The Rome Office publishes a monthly journal in Italian containing information from the publications of the Office, prepared in a form most adapted to the people of that country. The Berlin Office issues a similar publication in Germany.

[2] Albania, Bulgaria, Chili, China, Denmark, Finland, Greece, Hungary, Italy, Japan, Poland, Czecho-Slovakia, Venezuela, Ecuador.

"tangible sign of the interest which the Japanese Government takes in Labour questions, and of its desire to keep in close and constant touch with the International Labour Office, it having recognized that not only direct but also personal contact was necessary." The work of these social *attachés* has been of the greatest assistance to the International Labour Office, especially in the case of distant countries; a few minutes conversation may settle a difficulty, which might entail an exchange of lengthy correspondence between Geneva and a country thousands of miles away.

The recruitment of an international staff—the second of the problems connected with the secretariat—raises many interesting issues.

It is of the highest importance that the officials of an international administration should enjoy that security of tenure and prospects of a successful career that generally are accorded to officials in Government Departments. For when they have left their own country for a few years to work in Geneva they lose touch with all alternative opportunities of employment. Without the assurance of such security not only would efficiency be greatly hindered, but it might result in some of the best officials leaving at the first good offer of a post in their own country. Such a state of affairs would be prejudicial to that internationalism of spirit with which such officials should be imbued, particularly when a question arises where the policy of the Government of their own country may be opposed to the policy of the international organization.[1]

[1] M. Albert Thomas pleaded the case of the International Labour Office before the International Court of Justice against the contention of the French Government that the Organization was not competent to deal with questions relating to agricultural labour. M. Thomas' brilliant pleading in no small way contributed towards the decision which was given against the Government of his own country.

The Commission of Experts[1] appointed to examine the organization of the Secretariats of the League and the International Labour Office paid special attention to this aspect of the question. At first they held the view that officials should only be engaged for short periods of, say, five years, and that there should be constant rotation in order to avoid the development of those bureaucratic ruts which most countries had discovered to exist in their own administrations and against which there was such a considerable campaign after the War. They subsequently, however, came to the view that, as far as the International Labour Office was concerned, it would not be possible by such a system to secure the necessary continuity of work.

> " We consider that it is perhaps even more necessary to give security of tenure in the International Labour Office than in the Secretariat. In the case of the Secretariat we have expressed the opinion that it may also be possible to obtain the loan, for short periods, of permanent officials of National Governments, especially officials of the Diplomatic Services, but in the case of the International Labour Office it is unlikely that it will often be practicable to secure the services of permanent officials of a requisite calibre. . . . The Departments which deal with industrial and kindred problems are not as ready to lend their most promising men for a number of years as are the Diplomatic Services, in which experience in an international organization will always count as a valuable asset. The character of the work undertaken by the International Labour Office demands in a high degree intensive study, close research and accumulated

[1] Report of the Commission of Experts (May 1921), p. 72.

experience which can only be so acquired. The officials employed will therefore require long training and a close application to the highly specialized subjects which they are called upon to study before they reach the zenith of usefulness to the Office."

"Largely due to the recommendations of this Commission a great deal has been done to establish security of tenure, as far as security of tenure is possible in an organization whose range of activities may, for the present, be considerably influenced by the changing political situation. The members of the staff—with the exception of the Director and Deputy Director, who are appointed from outside the Office, and a subordinate personnel, who are recruited locally—are recruited internationally on long-term engagements. The scale[1] of salaries is based on that of the British Civil Service with due account taken of the element of expatriation. A certain portion of the salary is variable according to fluctuations in the cost of living in Geneva. A system of pension has recently been introduced, on the system of part contribution of the official and the League.[2] Practically all the officials form part of a staff trade union which is in constant touch with the Director or Deputy Director on all questions affecting the welfare of the staff.[3]

[1] Twenty-one years in the case of officers equivalent to the rank of a British Civil Service official, Class I, or up to fifty-six or sixty years of age in very exceptional cases. Twenty-eight years in the case of shorthand typists and clerks.

[2] Report presented by the Fourth Committee and adopted by the Fourth Assembly of the League—on cost of living at Geneva—salaries and pensions. R. 121. 1923. X.

[3] Two joint committees have been formed, the Joint Committee and the Administrative Committee, composed of an equal number of persons appointed by the Director and the staff union. Any member of the Union can

Since the meeting of the Commission of Experts (May 1921), however, the position of the staff has suffered a serious set-back. Owing to the panic for reducing national expenditure, the principle of security of tenure has suffered severely by the readiness of the Governing Body to effect economies by the reduction of staff engaged on permanent contracts under principles established by the Assembly, which constitutes the final authority on all matters affecting the League. In the circumstances such a course may have been inevitable. It is, however, sincerely to be hoped that it will never again be necessary to resort to such drastic expedients. Were the same thing to be repeated, it would certainly mean that all sense of security,[1] and with

appeal to the Joint Committee in case of dismissal, or alleged unfair treatment. The Administrative Committee is established for the " purpose of furnishing the Director with its opinion with regard to the conditions of service in the office." This Committee has not yet fully started to function (November 1923). The questions on which it was intended that it should express *its opinion* are " (1) questions relating to the application of the staff regulations; (2) the general conditions of the recruitment of the staff by competitive examination; (3) the fixing of scales of salary, and the rates of indemnities for the various grades of the staff; (4) the fixing of general rules of promotion, and the application of such rules to cases of individual proposals for increase of salary or promotion; that is to say, before a definite decision is taken in the case of any proposal for an individual increase of salary or promotion, the members of the Administrative Committee shall be informed, in order that they may give their opinion on any such proposal from the point of view of the application of such general rules; (5) organization of work; hours of work; annual and other leave; (6) any question relating to provisions for the welfare or benefit of the Staff." As in the case of British Civil Servants reports have to be made periodically on the work of each official; such reports are included in a special " dossier " to be initialed by the officer himself.

[1] The Assembly votes a scale of salaries and fixes terms of appointment one year; but there is no guarantee for the

it largely the morale of the staff, would disappear. The Director of the International Labour Office, referring to these difficulties in a recent report, said "It is no easy task, especially when dealing with an international staff, to create those solid administrative traditions which constitute in the proper sense of the word, an official department. To attain this end it is necessary that the staff should feel themselves reasonably secure."

It has been thought desirable that the nationality of the staff should, as far as possible, be proportionate to the importance or the number of the countries who are Member States of the Organization. But this has not yet been possible. "Since English and French are the two official languages and if all the official correspondence and the majority of publications appear in these two languages, it is necessary to recruit the greater part of the executive staff from France and Great Britain."[1]

The first members of the staff were mainly recruited from English and French officials, and those of other countries connected with the work of the International Labour Commission of the Peace Conference and the subsequent first International Labour Conference which took place in 1919. As the needs of the Office developed, further persons were selected on the recommendation of Governments, the higher officials of the Office, or, because of their well-known reputation as experts on industrial problems. The first consideration of the Office was that of competence, and it was only natural that, at the time of its creation, the Office

staff that such agreed conditions will not be changed in the following year. The official cannot sue the League before a Court of law on such a ground, any more than a British officer can sue his Government because his scale of pay has been reduced arbitrarily without his consent.

[1] Director's Report to the Fourth Session of the Conference, p. 899.

should have chosen the larger number of its officials from countries with long-established traditions of Government administration and experience of industrial problems, where a wider choice of suitable candidates was available. But in later appointments a solid nucleus of English-French staff having been built up, every effort is being made to bring in members of smaller states rather than increase the Allied influence. In the Secretariat of the League they have gone still further and have practically closed their doors to Englishmen, for instance until they get a more proportional representation on the staff. When a vacancy occurs, they decide roughly from what nationality or group of nationalities it should be filled.

The distribution of posts, and especially of promotion to meet the needs of a fair allocation according to nationality, may as often as not run counter to the principles of efficiency or promotion according to merit. This kind of difficulty is perhaps inevitable in international organizatons, and no doubt a great deal can be done to arrive at a mean that will give a fair chance of promotion to all officials concerned. Moreover, once the process of gradually redistributing posts more equitably amongst the various countries has been completed, the question of nationality will not seriously affect promotion.

The further important question whether officials should be recruited by examination or nomination is always one that is open to controversy. The system of examination was introduced by the office in 1920[1] and " has since generally been applied, the only exceptions have been in the case of the more important posts, i.e., those involving technical

[1] Examinations have so far been held in Paris, London, Rome, Geneva, Belgrade, Bucharest and Warsaw.

knowledge or special qualities, and in the case of the lower posts "[1] fifty-two posts from amongst the one hundred and eighty higher posts of the Office have been filled in this way.[2] The Office declares itself very well satisfied with the results of appointments made by these examinations. It has created a very wide field of choice in the selection of candidates. It may also be mentioned that the principle of equality of opportunity as between men and women has been fully recognized on the staff of the International Labour Office, when a man and a woman compete on equal terms for the appointments. In fact more than half the staff are women, some of whom hold high administrative posts. In the case of married women, the principle of the Washington Maternity Convention, providing for free medical attendance and rest six weeks before and six weeks after confinement, has been fully applied.

Experience has shown that the best type of candidate is likely to be drawn from the country where the status and remuneration of the Civil Service is highest. It is easier, for instance, to attract the best type of candidate in England where the Civil Service is still able to attract the flower of the universities, than in the United States where the higher officials are largely appointed as a reward for party services,[3] or in France where, especially since the War, very inadequate remuneration has driven much of the most promising material to other fields of endeavour.

The principal examinations have been organized

[1] Report of the Director to the Fourth Session of the Conference, p. 48.

[2] See Appendix III.

[3] Most of the higher posts in the American Civil Service are appointed every four years by the incoming Administration. The method of appointment has often been called the "spoils" system.

by the headquarters in Geneva and the National Correspondence Offices have been utilized, where they existed, for this purpose. The successful candidates have been appointed after final selection by the Director or Deputy Director. It is not, however, possible, in the very nature of things, to conduct examinations on these lines in distant countries. And it is now thought necessary to consider the possibility of interesting the public authorities of such countries in the task of holding examinations, leaving the final choice from a selected few to be made either in Geneva, or during the course of a visit of some higher official of the Office to the country concerned. There is, however, another difficulty in the recruitment of an international staff by examination, i.e., how to find a standard examination which shall be a fair test to candidates of different nationality.

There is much to be said for the principle of appointment by nomination, for it is unlikely that during the early years of its creation the Office will be able to appoint persons for the higher posts from among the members of the staff who have been recruited between the ages of twenty and thirty by examination. Such persons must be chosen from elsewhere until the Office has had time to train its own officials.

Those who are advocates of the system of nomination[1] contend that its chief advantage is to

[1] This contention does not, of course, apply to persons who have had experience in a national administration, where the appointments are made by competitive examination on a standard equal to that required in the examinations of the International Labour Office. It would clearly be unnecessary to expect a first-class British Civil Servant to qualify by examination for appointment to the Office. The similar procedure of exemption from examinations might be observed as practised by most universities. A student who has passed a degree in one university is exempt from passing a similar degree, when qualifying for a higher degree in a university of equal standing.

be found in the benefit that the administration derives from the influx of persons with a specialized knowledge gained outside the so-called narrow field of official routine—one of the arguments being that questions dealt with by the Labour Office are usually much more technical than can be adequately dealt with by permanent officials. It has often been found, however, that persons of great distinction and wide knowledge often lack experience of ordinary administrative routine. Indeed, such experts are very often difficult to work with, and chafe when driven to co-operate with others. Individually such persons may be distinguished specialists in their own line. But it must be admitted that the subjects dealt with by the International Labour Office are not more technical than those dealt with by corresponding permanent officials in the British Civil Service. The co-option of learned university professors and persons of scientific reputation is not always so successful as some people might imagine. However qualified they may be in their special subjects their want of experience of the ordinary routine and methods of administration often militates much against the usefulness of their work as directors of the work of others. The art of presentation is as necessary as the skill which enables the expert to collect the facts upon which he bases his observations. And it must be freely admitted that the specialist is often inclined to take sides. He may not have been trained in the necessary art of impartial presentation which is essential in all official publications. This is especially important with an organization like the International Labour Office where there is always the difficulty of keeping a clear road amidst the often conflicting views and interests of governments, employers and workers.

But there are other aspects of the question of recruitment by nomination which are strongly

favourable to the principle of recruitment by examination. The great desideratum is the establishment of a system which cannot at some future date be at the mercy of political intrigue; and not one which, later, if the higher officials were to be appointed for purely political reasons, might give rise to considerable favouritism in personal appointments. It is necessary to make great sacrifices to achieve this object. Despite its limitations the system of examination is the best safeguard against corruption. It develops the idea of equality of opportunity according to merit, which is the most rational incentive for the development of talent. Once this principle has been established the best methods of recruiting an international body of officials by examination will remain merely a question of time and experiment.

CHAPTER III

FINANCE

THE Budget of the International Labour Organization is part of the general Budget of the League of Nations, as are the budgets of the Permanent Court of International Justice and the Secretariat of the League. Although the International Labour Organization is in many respects practically autonomous, its financial constitution derives its final authority from the Assembly of the League. As will be seen later, this fact raises many anomalies.

The Labour Part of the Treaty of Versailles and the Covenant of the League had only vaguely touched the question of financial organization. The financial system, under which the Organization is at present governed, has been built up gradually during the first years of its existence. Its present form is largely due to the recommendations of the Commission of Experts appointed in 1921 to examine the whole question of the financial and administrative services of all the institutions of the League. This Committee was presided over by the late M. Noblemaire, the "rapporteur" of the Budget in the French Chamber of Deputies.

Under the existing organization, which came into force in 1923, the estimates[1] of the International

[1] The estimates are framed in a way which shows in parallel columns :

(*a*) The estimated expenditure on every item.

(*b*) The Budget provision for that item in the preceding

Labour Organization go through seven distinct stages before the supplies are voted.

(1) The Director of the Office prepares figures according to his view of the proper requirements of the year. These are circulated to members of the Governing Body a month before its April Session. When the Governing Body meets, its Finance Committee, composed of representatives of Governments, employers and workers, examines these estimates in detail.

(2) The Governing Body, acting upon the report of its Finance Committee, adopts provisional figures.

(3) The figures as approved by the Governing Body are submitted, before the 1st of May, through the Secretary-General of the League, to a Supervisory Commission representing the Assembly of the League. This Commission is composed of five members, at least one of whom is a financial expert. Their term of office is three years. So as to secure continuity, the replacement of members of this Commission is spread out at yearly intervals. One of the members of the Commission acts as " rapporteur " and has considerable power. It is his duty to ascertain that the decisions taken by the Commission are carried out and he has, in addition, to prepare the work of the Commission for its plenary meetings. His position in many respects may be compared with that of the British Comptroller and Auditor-General. The Supervisory Commission examines the estimates in detail and makes the necessary comments and suggestions.

year (i.e., when the Budget is adopted, the *current* year).

(*c*) The Budget provision for the year before that (i.e., the year preceding the year in which the Budget is adopted).

(*d*) The actual expenditure, as agreed by the Auditor, during the year referred to in (*c*).

(4) The detailed estimates, together with the report of the Supervisory Commission, are sent by the Secretary-General of the League to every State Member of the League before June 1st.

(5) In June or July the Governing Body reconsiders the estimates in the light of the report of the Supervisory Commission.

(6) In September the estimates, together with the observations of the Supervisory Commission and the further remarks of the Governing Body, are laid before the Financial Committee of the Assembly (called the Fourth Commission). On this Commission every State is represented and the estimates are again scrutinized in detail.

(7) The Assembly, after receiving the report of the Fourth Commission, finally votes the supplies.

A serious difficulty might have arisen when this system was first put into operation in 1921 owing to the different composition of the Assembly and the International Labour Conference. There was no person at the Assembly of the League of Nations authorized to speak and justify the expenditure of the Office or the decisions of its Governing Body. To meet this difficulty it was decided that a representative of the Governing Body of the International Labour Office might speak during the discussion of the Budget by the Assembly, on the invitation of the President and with the approval of the Assembly. The Rapporteur of the Finance Committee of the Governing Body is also entitled to appear for the same purpose before the Fourth Commission. In point of fact, no serious division of opinion arose in 1922 or 1923 in connection with the recommendations of the Supervisory Commission with regard to the Budget. This procedure was therefore not resorted to. The practice has been for the Director, assisted by his Deputy, to defend in detail the Budget of the Office at the Fourth Commission and meet any

difficulties or objections made. The very forceful personality of M. Albert Thomas, the present Director and the tendency of certain States to send the same delegates to the Governing Body and to the Fourth Commission[1] has largely contributed to the success of this procedure.

The above procedure certainly gives scope for the fullest scrutiny of the expenses of the Organization —a far greater scrutiny, in fact, than is provided for in the estimates of national budgets, especially if the sums involved are compared, for the Budget of the International Labour Organization is approximately only £280,000. Lord Robert Cecil at the Fifteenth Session of the Council expressed the opinion that "no budget of any other institution, national or international, was so carefully or so meticulously examined as that of the League of Nations." This network of supervision increases the difficulty of an accurate preparation of estimates; for the original estimates have to be prepared nearly a year before the beginning of the financial year, which starts on the 1st of January.

A delicate position in the present financial organization is the relation of the International Labour Conference to the Assembly. The Labour Conference is the final authority as regards the policy of the International Labour Organization. But at present it is the Assembly, composed of delegates appointed on quite a different basis, which is the final authority for controlling the expenditure necessary for that policy to be applied. These difficulties were outlined by the Director in his Report to the International Labour Conference of 1922.

> "The Assembly of the League of Nations possesses, beyond all possibility of doubt, com-

[1] This was especially noticeable at the Fourth Assembly (September 1923).

plete power in regard to finance. It is the Assembly which votes the credits necessary for the functioning of all the institutions of the League. It is the Assembly which fixes the contributions of each State, and which has the right to control expenditure. It is, however, certain, that if the Assembly, relying on this right, decided to reduce certain credits and thus to suppress inquiries or investigations undertaken by the Office by resolution of the Governing Body or by resolution of the Conference, the autonomy of the Organization would be affected.

"It is the Governing Body which lays down the policy of the Office, and the Conference may also entrust the Office with any task it considers desirable. It would obviously be inadmissible that the Assembly of the League of Nations, in suppressing or reducing credits, should infringe upon the acknowledged rights of the International Labour Organization or the Governing Body."

During the development of its financial organization the Office has always insisted upon the degree of its autonomy as regards finance. This was first recognized by the Council of the League at its Session in August 1920. Its Chairman in his report referred to Article 399 of the Treaty of Versailles, which lays down:

"All other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

"The Director shall be responsible to the Secretary-General of the League for the proper

expenditure of all moneys paid to him in pursuance of this Article."

The Chairman of the Council stated: "The terms of this Article show quite clearly that the Secretariat of the Council of the League have no control over the decision of the Budget Committee of the Governing Body of the International Labour Office, or over the total estimate for the Budget itself. It is the duty of each Government to give to its delegates to the Governing Body of the International Labour Office any instructions it may deem necessary."

The attitude of the Council on this occasion does not, however, eliminate the difficulty. In 1922 a member of the Supervisory Commission raised the question as to whether certain sections of the International Labour Office could not be reduced or suppressed. The Director pointed out that a delicate situation might be created if the Commission, examining the estimates of the Governing Body, were to make considerable reductions in items of expenditure which had been expressly approved by the latter. No case of this kind actually occurred as the small reductions made by the Commission in that year only referred to administrative matters, but the Supervisory Commission recommended this question to the consideration of the next Assembly. The Fourth Assembly, however, decided "not to consider the solution to the problem which might arise if the General Labour Conference and the Governing Body of the International Labour Office were to formulate proposals involving expenditure which the Supervisory Commission and the Assembly were unable to accept." It was of the opinion "that the present procedure, under which the expenditure of the International Labour Organization must be submitted to the Assembly for final approval, has, in the last two years, given the best results, and that there is no occasion for the Assembly to investigate the com-

petence of either organization regarding finance. No difficulties are likely to arise if the two Organizations continue to show goodwill and mutual confidence as in the past."

The danger of such difficulties coming to a head is perhaps, as M. Albert Thomas once stated, "imaginary." The difficulty is, in a certain measure, met by the fact that with the exception of Germany, all the countries which form part of the International Labour Organization are now also Members of the League. Provided the membership of both organizations remains much the same as at present, no serious complications should arise. It is unlikely that the delegates of the same countries would adopt different policies at the Assembly and at the International Labour Conference.

The present financial procedure of the International Labour Organization is often pointed out as a real weakness in its constitution. There is no doubt that should a group of countries desire to harm or discredit the Organization they could do so more easily through attacking its Budget at the Assembly of the League than in the course of the yearly Labour Conferences. The delegates to the Assembly belong to the same countries as those of the International Labour Conference, but being mostly diplomats they are not, as a body, so interested in the more limited problems dealt with by the Labour Organization. It is conceivable that, owing to the political pressure of some big Power, they might be persuaded to limit its activities rather than run the risk of endangering their own prestige. It is to be hoped that such a situation will never arise. *The future of the League, the Permanent Court of International Justice, and the International Labour Organization are inseparably linked. The playing off of one against the other, or the failure of one of them, cannot but bring all international organizations into popular discredit.* But already the solution of the difficulties that were

apt to arise between the Assembly and the International Labour Organization are being assisted by the action of the Governments concerned. At the Fourth Assembly (1923) the Governments who had supported the Budget of the International Labour Organization in the Governing Body, without exception, instructed their representatives to support it on the Fourth (Finance) Committee of the Assembly. "Three countries improved still further on this procedure by naming their representatives on the Governing Body either as delegates or substitutes on the Fourth Committee, which enabled them to speak with knowledge and understanding when the different items on the estimates were discussed."

The Budgets of all the institutions of the League are collected by the Secretary-General of the League. He notifies each State Member the amount to be contributed by it under the existing scale of contributions, and indicates what portion is allocated to the League and what portion to the International Labour Office, and the Working Capital Fund. On receipt of a contribution from any State the Secretary-General pays to each organization the proportionate share due to it. In addition to the funds provided by the League the International Labour Organization has two other sources of revenue; the contribution of Germany which is a Member of the International Labour Organization, but not of the League, and the proceeds from the sale of publications. The special amounts received from States not members of the League are applied to the reduction of the total sum chargeable to the State Members in the following year; and from publications to the year in which received. Up to 1922 the allocation of expenses among the various States was decided in the proportion of their contribution to the Universal Postal Union. This arrangement was unsatisfactory, as the percentages of contribution fixed for the Postal Union do not correspond to the relative capacity of pay-

ment of the various countries. For instance, the contributions of Poland and South Africa were the same as that of Great Britain. As the sums involved by membership of the Postal Union are comparatively small, no difficulty has arisen in that case. But the percentages seemed unfair when applied to the much larger Budget of the League. Upon the recommendation of a Commission especially appointed to deal with this question, a completely new ratio between the various States was arrived at.[1] The new percentages took into consideration the size, industry and population of the countries concerned, as well as the questions of depreciation of exchange and devastation due to the War.[2]

At its Session at the end of 1921 the Assembly of the League decided to adopt a general reserve fund as a part of its permanent financial machinery.[3] The purpose of this reserve fund, which was called the Working Capital Fund, was to "meet temporary normal requirements of regular organizations of the League which cannot be paid out of income at the time that they are due to be met." The Governing Body had asked that a special reserve fund should

[1] See Appendix II. The Assembly of the League decided when setting up this new ratio in September 1923 to strike out as a dead loss, certain paper balances which for various causes were uncollectable "since it can only convey a false idea of the financial position of the League to consider as part of the assets, amounts which will never be recovered." (Report submitted to the Assembly by the Fourth Committee A. 90. 1923. X.) The loss to the League amounted to 3,009,299 gold francs. It is hoped that the basis on which the new ratio is arrived at will in the future do away with the causes, which made such contributions uncollectable.

[2] Allocation of Expenses of the League. Report to the Council by the Committee on Allocation of Expenses. A. 23. 1923. II. Report presented to the Assembly by the Fourth Committee (28 September 1923) A. 118. 1923. X.

[3] Contributions on account of a reserve fund were, however, first voted in 1920.

be created for the International Labour Organization. At that time, by a very considerable reduction in expenditure, sales of publications, and the extra receipt from the German contribution, it had at its disposal a sum derived from these " special sources " which had not been allocated to meet expenditure of approximately one and a half million Swiss francs. It desired to have this put to its credit for future contingencies. The Assembly, however, decided that this revenue from special sources should be credited to the following year's contributions (1922) of the various State Members of the International Labour Organization. It also made provisions for the creation of a general reserve fund for the Secretariat of the League, the International Labour Organization, and the Permanent Court.

Each of these organizations is entitled to receive, under conditions laid down in the Financial Regulations,[1] the same proportion of the reserve fund as their budget bears to the total budget of the League.

The difficulty of collecting contributions from State Members is one of the most serious difficulties that confront the League and its International Labour Organization. The League has not the tax-gatherer's power to take stern measures for enforcing the payment of contributions which are overdue. It is in this respect completely dependent on the goodwill and faith of the countries concerned. It is difficult to see what action, other than moral pressure, the League can take to see that the contributions are duly paid. A suggestion was made that delegates from countries which had not paid their contributions should be deprived of the privilege of voting, but this was rejected as offering no real solution to the problem. In the meantime, the seriousness of the

[1] Regulations for the Financial Administration of the League of Nations adopted by the Third Assembly. A. 54 (3). 1922.

situation may be gauged from the fact that in February 1923, whilst 96 per cent. of the contributions had been paid for 1920, only 84 per cent. had been paid for 1921 and 64 per cent. for 1922.

The seriousness of the position was outlined by the Director at the meeting of the Governing Body in February 1923. The estimates for 1922 had amounted to 8,159,225[1] Swiss francs of which, owing to very drastic economies effected by the Office, only 7,283,000 Swiss francs had been spent. The position, however, instead of showing a balance in favour of the Office showed a deficit of 1,621,019 francs, owing to the fact that only 5,661,981 francs of contributions had been paid. To meet this deficit, as well as the normal requirements, the Office was obliged to borrow 1,200,000 gold francs from the Working Capital Fund, which represents practically the whole of the share of that Fund to which it is entitled, and a further 500,000 francs from the League's share of the Fund. There were many reasons to account for the relatively worse position of the International Labour Organization in 1922, as compared with that of the Secretariat of the League. During 1922, when the percentage of contributions actually paid was so much lower than in the previous years, the International Labour Office, owing to the large reductions that it had made in its Budget of the previous year, was only able to make economies to the extent of 10 per cent. whereas the economies effected by the Secretariat of the League amounted to 20 per cent.[2] The economies in the Budget of the International Labour Office were largely effected by a reduction of staff and curtailment of administrative expenses—in the case of the Secretariat to a certain extent by a curtailment of activities, such as the postponement of conferences till a more favourable date.

[1] Governing Body Seventeenth Session, Annex. D. p. 128.

[2] Reduction 1922 League 20 per cent.; I.L.O. 10 per cent.
1921 „ 13 per cent.; „ 27 per cent.

The experience of this year shows the unwisdom of allowing the large surplus in the previous year to be put to the credit of the following year's contributions instead of being placed to the credit of a reserve fund. In Great Britain it is one of the established laws of national finance that no surplus of receipts can be credited to a Department for the following year. This is a wise measure of financial policy, which prevents a Department from directly benefiting by any over-budgeting in a previous year, and has so far been applied in the case of the institutions of the League. It is unfortunate, however, that the institutions of the League have not followed British financial methods still further, by providing that any such surplus must be used exclusively for the redemption of debt. The Governing Body in a memorandum to the Council of the League laid special emphasis on this point.[1] "It may be pointed out that there is little inducement to economy in administration if any credits resulting from economies are not used to ensure the financial position of the Organization or even of the League as a whole. This remark is not intended to indicate that the Governing Body has been neglectful of economy in the past or purposes to neglect its duties in the future. At the same time it considers that the Organization should not be deprived of the results of such savings as may be effected." Practically the whole deficit for 1922 would have been met had this policy been adopted.

The outlook for 1923[2] is reported to be better than

[1] Council Meeting February 1923. c. 193. 1923.

[2] Financial position of the League on 31 August 1923:

For the year 1920 95⅓ per cent. of the contributions had been paid.

For the year 1921 91 per cent. of the contributions had been paid.

For the year 1922 82 per cent. of the contributions had been paid.

The cash receipts of the League from arrears of con-

for the previous year, the smallness of the contributions in 1922 being partly accounted for by the refusal of certain States to pay in accordance with the Universal Postal Union scale and to their remitting, for previous payments, the smaller sum to which they had been liable under the new scale. As the countries who have been given the larger contributions under the new scale are those countries who pay most regularly because of their better financial position, the same difficulties are not anticipated as in the previous year.

But the serious financial position of the end of 1922 may occur again. It is, therefore, most important that there should be a very large Working Capital Fund to meet such contingencies. If international organizations are to perform the services which are required of them they must be assured of an adequate supply of funds. How is it possible to budget carefully for a certain figure if you are never certain that your receipts will cover the whole of your expenditure? Unless the Members of the League violate their undertaking such a deficit should only be temporary. But adequate steps should be taken to prevent a temporary deficit of this kind from crippling the normal activities of the League. Further, there is always the possibility, despite the Covenant, that one of the big Powers may suddenly secede from the League on an important political issue. The recent incident of Corfu painfully brings such a possibility from the realm of speculation into that of practical politics. Such a time of crisis, when the cause of peace may be at stake, is just the moment when the League may be placed in financial difficulties.

As a sound industrial undertaking the League

tributions and payment of 1923 budget for the period 1 January to 31 August 1923, was 16,583,954 gold francs. But the amount receivable (taking all arrears at their full allocated value) was 20,777,943 gold francs.

should build up reserves in good years for provision against possible lean ones. It has been accepted, in principle, that the Working Capital Fund should be increased to 5,000,000 gold francs.[1] But this is not enough. On the present Budget of over 20,000,000 gold francs, such a reserve would hardly cover three months' expenditure. It seems only a wise precaution to gradually build up this reserve fund to at least one year's (full) contribution. The difficulties that have been experienced in financing the League show perhaps the most vulnerable point in its armour. One of its very determined opponents is reported to have said that the best way to cripple the activities of the League is not to attack it in the open where such attacks can be met by democratic aspirations for universal peace, but to cripple its activities through the non-payment of funds by its Members.

But even the creation of a large reserve fund would not of itself place the League and its International Labour Organization on a sound financial footing. The purpose of a reserve fund should be to meet a temporary shortage or some extraordinary emergency. All money taken from the reserve fund should be regarded as a temporary loan. It is in fact the property of the various countries which contribute

[1] View of the Governing Body. See Supervisory Commission C. 193. 1923. p. 17.

The sums yearly voted by the Assembly for the constitution of the Working Capital Funds amounted to the following figures, against which are indicated the amounts received and outstanding at the end of each year.

	Amount Voted.	Amount Received.	Amount Outstanding.
		Gold Francs.	
1920	1,725,000	1,644,887	80,113
1921	1,890,000	1,682,589	203,744
1922	Nil	Nil	Nil
1923	500,000	174,243	325,757
	4,115,000	3,505,386	613,281

to it.[1] It should not be used to pay shortage of contributions which in all probability will never be paid, otherwise the League would yearly be incurring capital debt upon unrealizable assets.

Under the existing financial arrangement, when the budget is voted by the Assembly, it is taken for granted that credits voted (which total the same amount as the expenditure authorized) will meet the expenditure. The method used up to the present to meet the deficiency of receipts that has always occurred has been to make reduction in the expenditure or to draw on the reserve fund. At a meeting of the Supervisory Committee in February 1923 when the whole financial position of the League was reviewed, the International Labour Office laid stress on the dangers inherent in such a method. "It would inevitably lead international organizations to inflate their budgets in order to be secured of the credits absolutely necessary—a procedure which would undoubtedly mean the end of all control. Administration would become impossible if it is necessary to curtail arbitrarily during the course of each year the task approved by the Governing Body and Assembly."

The Supervisory Committee decided to recommend, and the Assembly has agreed that the real difference between the receipts and expenditure in a financial year shall be included in the budget of the year following. If that difference be a balance it shall be carried to the reduction of the sum contributable for that year by the State Members. If it be a deficit it shall be carried to the augmentation of that sum. In other words, the deficit which may, for instance, be incurred for the year ending 1923 (and temporarily met by drawing on the reserve fund) would

[1] Supervisory Commission, July 1923. A. 14. 1923. p. 4; Supervisory Commission, May 1923. A. 2. 1923. p. 19; Article 31 Financial Regulations adopted by Fourth Assembly, September 1923.

be provided by the Assembly meeting in September 1924 in voting for the credits for the 1925 Budget. As the difference has in past years been a deficit the Commission also recommended that provision should be made in the Budget for perhaps 10 per cent. of the total to meet non-payment of contributions.[1] This was subsequently rejected, but the enforcing of a plan based on the lines would be an important step in consolidating the general financial position of the League.

It will have been seen from the above description that the procedure which must be followed for the granting of supply and authorization of expenditure is exceedingly rigorous. It remains to be examined by what methods control is exercised over expenditure itself; that is, what machinery has been evolved to ensure that the actual expenditure of these international institutions corresponds with the purposes for which it has been authorized.

The financial regulations adopted in 1922 contain strict provision both for the internal and external control of expenditure by the Secretariat of the League, the Permanent Court of International Justice and the International Labour Office.

The accounts are audited by an auditor "who shall be a person in no way connected with any of the organizations of the League" and is appointed by the Council on the proposal of the Supervisory Commission. He is chosen from amongst auditors of one of the Governments of the State Members. His appointment is for a term of five years,[2] and he is responsible for the auditing of the accounts of all the institutions of the League.

The auditor makes three audits a year, reporting to the Supervisory Committee on each, besides a

[1] Governing Body Eighteenth Session, p. 301.

[2] He cannot be removed except by the Council of the League upon the proposal of the Supervisory Committee with reason stated.

general audit after the closing of the accounts of the year. The closed accounts are communicated to the Supervisory Committee on the 1st April of each year before they are audited: they are then presented again to the Commission a fortnight later; the Supervisory Commission reports upon the whole to the Assembly. These can be accompanied by observations of the Governing Body in the case of the International Labour Office, or of the Council in the case of the Secretariat.

In each of the institutions of the League there is a Control Officer to whom all proposals involving expenditure are passed for approval. He is responsible for seeing that no liabilities are incurred for which credits have not been authorized. No payment can be made without his approval. Any single purchase of supplies exceeding twenty pounds is in the International Labour Office referred to a Purchase Committee. This Committee is presided over by the Deputy Director, and is composed of representatives of all the purchasing and financial departments. For every purchase exceeding four hundred pounds tenders are invited by advertisement in at least two newspapers of different countries and in an official publication of the Office. It may also be noted that no transfer may be made from one item to another of the Budget without the authority of the Governing Body. Nor can any part of a sum voted for "unforeseen expenditure" be expended until a detailed statement of the nature and object of the expenditure has been considered and approved by the Governing Body.

As to external control, in addition to the formal audit, the auditor is provided every month with a statement of receipts and expenditure together with a report from the Control Office.

This system of control so far seems to have worked satisfactorily. There is, however, one point which may be open to criticism, both in the

Secretariat, the International Labour Office, and the Permanent Court of International Justice, the final authority for *controlling* expenditure is also the final *spending* authority. There is no Treasury, as in Great Britain, independent of all the other Departments answerable only to Parliament to say whether or not a liability has been incurred.

This difficulty is partly met by various measures which have been explained: such as the existence of the Supervisory Commission and the independent position of the auditor. The rapporteur of the Commission has also a special power of instituting an inquiry at any time to see that the wishes of the Commission have been carried out. In addition to this the Control Officer submits monthly reports to the Supervisory Commission. But it must be remembered that the Control Officer is appointed by the organization whose expenditure he controls. It seems difficult therefore for him to report adversely upon it to a body that has no say in his appointment and is only a committee.

One solution of this difficulty could be envisaged. It is that a Finance Department should be set up, directly responsible to the Assembly, which might have the Supervisory Committee as its Governing Body. At present each of the three big autonomous organizations of the League run their own finance as independent bodies.[1] This solution is, however,

[1] There are, for instance, differences in the methods of auditing at the Secretariat and the Office. The Auditor in his report for the Third Fiscal period 1921 (C. 237. M. 133. 1922. X.) states "these differences do not facilitate the work of the auditors, who have to verify the accounts of both administrators consecutively. It may not be a factor of great importance, but it is clearly advisable, for practical reasons, that the method of book-keeping in both offices should be as similar as possible." There are also differences of currency. "The principal books of the secretariat were kept in gold francs, those of the International Labour Office, on the contrary, in Swiss francs."

open to the danger that the Finance Department (like the British Treasury amongst British Government Departments) might become the most influential body amongst the institutions of the League.

Another difficulty which arises in the financial administration of a large international institution is to determine in what currency to draw up its budget. The difficulty would hardly have arisen before the War, owing to the comparative stability of the exchanges. But to-day when the currency of one of the most important European countries may halve its value overnight, the problem of drawing up the budget of an organization composed of fifty-seven States, with fifty-seven different currencies, is one that is not easy of solution.

So as to meet the difficulty of the changing value of national currencies, the contributions to the League have been fixed on a gold basis. But both the financial experts of the League of Nations, and, in another sphere, those of the Reparations Commission, have been puzzled to find a gold basis which was satisfactory in all the eventualities of currency fluctuations or even fluctuations in the world price of precious metals. The formula of the gold franc was, however, evolved, and is the monetary unit on which the budgetary contribution of all the institutions of the League are based. The gold franc is fixed as the gold equivalent of the franc to the dollar, when both the franc and the dollar are on a gold parity. The gold franc stands in a permanent relation to 1 : 5.1826 to the United States dollar.[1] In other words the U.S.A. dollar is worth 5.1826 gold francs. It had been argued that instead of creating a fictitious unit like the gold

These differences will, however, gradually make way for a uniform system in accordance with the new financial regulations voted by the Fourth Assembly (1923).

[1] See Audited Accounts of the League of Nations for the Third Fiscal Period. C. 237. M. 133. 1922. X. p. 22.

franc it would have been simpler for the League to have drawn up its budget in dollars. The gold franc fluctuates in value with the fluctuations in value of the dollar; it is in fact a camouflaged form of American currency.[1] Many interesting points arise in connection with the present determination of the value of the gold franc: what would happen if as a result of inflation the United States currency no longer bore its present relation to the value of gold? In that case presumably the value of the gold franc would have to be determined on another basis; i.e., its relation to the value of a given weight of gold. Again, were a large rise of prices to occur in the United States, this might considerably reduce the purchasing power in terms of commodities of any revenue based on the gold dollar standard.

The contribution to the International Labour Organization are fixed on a gold basis, but practically all its expenditure is made in Swiss francs—in the currency of the country where lie its permanent headquarters. It was therefore found impractical to make up the estimates in gold francs. These are drawn up in Swiss francs, and the amount voted is the sum in gold francs which is estimated to equal the number of Swiss francs required. The difference that may arise in the estimated value of the gold franc in relation to the Swiss franc is carried to an Exchange Profit and Loss Account for the following year.[2] A similar procedure has also been adopted by the Permanent Court of International Justice, whose payments are made in Dutch florins. This solution in the case of the International Labour

[1] If the contribution of Great Britain were 100,000 gold francs, its actual payment to the League would be as follows: the sterling equivalent of $\frac{100,000}{5.1826}$ U.S.A. dollars.

[2] Any loss has to be made good from reserve funds or next year's contribution. Any profit that is anticipated for the year ending 1924 will be taken in reduction of contributions in the following year.

Office has not proved wholly satisfactory. When the Budget for 1921 was voted the value of the Swiss franc in relation to the dollar was fairly high, and the supplies were voted on the basis that the American dollar would equal 6.47825[1] Swiss francs. Unfortunately the dollar soon after declined in value in relation to the Swiss franc, and the average rate of exchange on which contributions were received on that year resulted in a net loss of 721,985 Swiss francs on a budget of 8,762,500.[2] In 1922 the basis of exchange was fixed at 5.50 Swiss francs to the dollar; but again the value of the dollar depreciated and the loss of this year amounted to 191,082 francs.[3] The basis for conversion for 1923 is fixed on the basis of a Swiss franc—a gold franc. On this basis of exchange it is estimated that it is impossible for the Budget to show any deficit in Swiss francs, as it is never expected that the Swiss franc will be worth more than the gold franc. And according to the accounts so far available an appreciable profit is shown in 1923 on this basis of conversion.

From the point of view of establishing a sound basis for the financial system of the League any violent fluctuations either of profit or of loss on the exchange are equally unsatisfactory—and result from purely speculative estimates of the tendency of the exchange rates. A view that was strongly advanced by the Auditor of the League in 1922, and which is

[1] Financial Statement submitted by the Fourth (Financial) Committee to the Assembly September 1921 on the Budget of the International Labour Organization.

[2] The paper loss which included the anticipated loss on unpaid contributions on the 31st December 1921 at the value of the Swiss franc on that date (5.12 francs to the dollar) resulted in a total loss of 1,276,797 Swiss francs or nearly 15 per cent. (See statement of Sir Montague Barlow, reporter of Finance Committee, League Document. C. 237. M. 133. 1922. X. p. 31.)

[3] Audited Accounts of International Labour Organization, A. S. 1923. X. p. 55.

now gaining acceptance, is that the Budget of the League should be established in Swiss francs both as regards expenditure and contributions.[1] This would seem a satisfactory solution especially as the value of the Swiss franc is based on an equivalent of gold currency; i.e., the paper value of Swiss currency is legal tender for gold coins of the same denominations. But in the case of an international institution seated in a country whose currency is not based on a gold standard, the use of the gold franc or dollar is preferable.

The financial administration of a large official international organization raises many new problems, more complex in many ways than those that arise in the case of national public departments. The account of how these problems have been faced during the early years of the International Labour Organization envisages rather their nature than the methods that should ultimately be adopted for their solution. These must gradually be hammered out as a result of experience.

[1] See statement with regard to Gold Franc on p. 23 of Audited Account (1921). C. 237. M. 133. 1922. X.

CHAPTER IV

PREPARATION OF THE CONFERENCE

NINE-TENTHS of the success of an international conference whose decisions are to be in any way binding, depends upon the care and thoroughness that have been taken in its preparation; especially is this the case with one dealing with such technical questions as those brought up at the International Labour Conference. When such conferences open, the questions on the Agenda should have been so carefully considered in all their aspects as to be really mature and ready for decision. The experience of the official international conferences which have taken place during the last few years goes to show that hasty decisions snatched by tactical adroitness or the concealment of difficulties rarely fulfil the objects of their promoters. When it is attempted to translate such decisions into action the points of disagreement arise which make them inoperative.

According to its constitution, the Agenda of the International Labour Conference is chosen by the Governing Body[1] which "shall consider any suggestion . . . that may be made by the Government of any of the Members or by any representative organization recognized for the purpose of Article 389."[2] The Conference can also include a particular

[1] Article 400 of the Treaty of Versailles.

[2] Article 389 states "The (States) Members undertake to nominate non-Government delegates and advisers chosen

subject on the Agenda of its next meeting, if it is in favour of such action by a two-thirds majority. The practice, however, is generally to leave the choice with the Governing Body, which, of course, is largely guided by any expression of opinion of the Conference, whether put in the form of a definite resolution or not. Frivolous resolutions, or resolutions of sectional importance are occasionally carried in conferences, not because there is a large body of opinion in their favour, but because the delegates are not sufficiently interested in the questions involved to oppose them. The two-thirds majority required by this Conference is therefore a wise safeguard.

A further safeguard is provided against an unwisely selected Agenda[1] by the first two paragraphs

in agreement with industrial organizations, if such organizations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries."

[1] The Agenda of the First Conference was decided by the International Labour Commission of the Peace Conference as the Governing Body had not yet been appointed. This First Conference decided by vote to leave the choice of the Agenda of the next Conference to the Governing Body.

Only two questions on the Agenda of the first five conferences were placed there by previous conferences:

(i) Minimum age of the employment of children as trimmers and stokers;

(ii) The compulsory medical examination of children employed at sea.

These questions were placed on the Agenda of the 1921 by the Genoa Conference of 1920, which dealt exclusively with questions relating to seafaring life. Their insertion on the Agenda of the following Conference was in continuance of what had been done at the previous.

The First Labour Conference at Washington passed a motion by ninety-two votes to fourteen, to include agricultural questions on the Agenda of the next session of the Conference. This was invalidated because a quorum was not present. But the Governing Body took account of this opinion in placing questions on the Agenda of the Third Conference.

of Article 402 of the Peace Treaty which lays down: "Any of the Governments of the Members may formerly object to the inclusion of any item or items in the Agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director who shall circulate it to all Members of the Permanent Organization. Items to which such objection has been made shall not, however, be excluded from the Agenda, if at the Conference a majority of two-thirds of the votes cast by the delegates present is in favour of considering them." Thus a country not represented on the Governing Body is able to oppose the consideration of a particular question on the Agenda. It may be noted that such an objection would be considered invalid unless it were accompanied by an explanatory note giving detailed reasons for the objection so made.

The provisions of this article formed an important feature of the International Labour Conference of 1921 upon the objection, at the eleventh hour, of the French Government to the agricultural questions upon the Agenda. This was a case in which a Government had reversed its previously approved international policy owing to a new development of home politics. The French Government delegate had approved of the insertion of these questions upon the Agenda when the matter had been raised at the Governing Body. But the voices of important interests in that country were, however, strong enough to bring pressure upon the French Government to ask for the withdrawal of these questions from the Agenda. Though the objections were made on the ground of expediency, the real controversy on these questions turned upon the more general aspect of the competence of the Labour Organization to deal with agriculture, a question which was ultimately brought before the Permanent Court of International Justice.[1]

[1] Upon the first objection raised by the French Govern-

There are two general methods which are often used when preparing for an international conference. The usual method is for the Agenda to be distributed to the countries attending; and apart from informal soundings, between groups of allied or interested countries, each country attends the Conference without any official preliminary exchange of views with other countries on the points at issue. There is also the questionnaire method, as used by the International Labour Conference, by which a preliminary survey of the position with regard to the problems is prepared by an international staff.

When making preparations for the General Conference in 1920, the first Conference held since the creation of the International Labour Office, this Office sent out extensive questionnaires to all governments requesting them to forward all available information concerning the questions on the Agenda. Special stress was laid upon the importance of receiving the most complete information of existing and proposed legislation and on agreements between employers and workers. Finally the governments were asked to give their opinion on the draft conventions and recommendations proposed.

"This method had two drawbacks. Such protracted inquiries were necessitated by this form of questionnaire that the majority of replies were received too late to allow of the elaboration of a carefully drafted report. Some governments appeared to consider sufficient the inquiry into existing legislation and the conditions which gave rise to it; but

ment, on hours of work in agriculture, a two-thirds majority just failed to be obtained; the Conference, however, decided to place this question on the Agenda of a future session. The other two questions relating to agriculture were retained on the Agenda by a five to one majority.

M. Guerreau, "l'Organization permanente du Travail." 1923. p. 251.

failed to realize the necessity of examining carefully the possibilities of international action. It was, therefore, impossible for the International Labour Office to form, in advance, a proper estimation of the objections and difficulties which a draft convention might encounter."[1]

The experience of this Conference and the subsequent development of the scientific work of the Office has made it possible to adopt a slightly different method which obviates many of the drawbacks enumerated. The questions now placed upon the Agenda are generally those which have already been carefully studied by the technical sections of the Office, sometimes with the assistance of temporary or permanent commissions made up of experts or representatives of different groups chosen outside the Organization.

The Conferences of 1922 and 1923 made use of the following method in their preparation:[2]

1. The Office collected available information, and confined its request for information and documents to what was needed to complete the information already to hand.

2. The Office then sent to all the governments of the Member States a questionnaire relating exclusively to the possibility of elaborating draft conventions or recommendations on the questions at issue and to the provisions which it might or might not seem necessary or possible to include in them. This document asked detailed questions as to the attitude of the governments on various aspects of the problem and was prefaced by a carefully written survey of the matter in question.

3. When the International Labour Office had received the replies to the questionnaire and was

[1] Introduction of the Questionnaire to the Third Session of the International Labour Conference.

[2] See Introduction of the Questionnaire to the Third Session of the Conference.

thereby informed of the opinions of the governments of the various States, it proceeded to draw up a general report summarizing their views. At the end of this report were drafts of conventions or recommendations prepared by the Office as a basis of discussion and drawn up in the light of the answers received.[1]

The questionnaire method has one inestimable advantage. It enables a preliminary exchange of ideas to be made before the Conference starts. Each delegate, in reading over the general report, is able to get a bird's-eye view of how the particular problem to be discussed is viewed in countries other than his own. Such a method is specially adapted to a Conference which is to draw up diplomatic agreements upon technical subjects, the details of which cannot be too carefully studied if a satisfactory result is to be obtained.

On the other hand it has obvious disadvantages which are perhaps inherent in any system which necessitates careful preparation. The first difficulty is one of time and distance, as, for example, when the questionnaire has to be sent out to such distant countries as New Zealand and Australia. Sufficient time must be given for a reply, and also for the proper consideration of important questions by the governments overseas. This difficulty of the time factor may be further increased by the constitutional difficulties which arise in such countries as Canada (and would also arise if the United States of America were a Member of the Organization) where the Federal Governments have also to consult the States or provincial governments as to the course of action that should be adopted. It is, therefore, necessary to send out questionnaires nearly nine months before

[1] A notable feature of the Fifth Session of the Conference was the increased importance and detail of the reply of governments to the questionnaire. (See Report on Factory Inspection Fifth Session 1923.)

the Conference to get the replies in good time. Political considerations or new aspects of the question may arise in the meantime which may lead the governments to change their policy as the time of the Conference approaches, as we have observed.

On the other hand it may not be impossible in some future not very remote, that these problems of distance will be largely reduced by the more general use of wireless diplomatic communications. And, as far as the change of policy which is sometimes necessary, owing to changing political circumstances, full facilities are given in the course of the Conference for the new views to be put forward and find their proper expression.

International conferences that are hastily assembled to deal with certain urgent problems of the moment may find it difficult to make use of the questionnaire method. *But it is questionable whether it is ever advisable hastily to assemble an international conference. If its preparation has not been carefully matured, its results will be of little value.* At the Economic Conference of Genoa, the instructions to the various government delegations as to scope of the Agenda were only completed at the very last moment and were continually being changed during the course of the Conference. Whilst not wishing in any way to minimize the very difficult task which the promoters of this Conference sought to accomplish, it will be interesting to hear in the future the candid opinion of historians as to the technical organization of this Conference, and how far it was responsible for the somewhat negative results obtained.

The first necessity in preparing an international conference is to secure a draft which will form a suitable basis for discussion. Parliament cannot secure effective legislation by a discussion of vague resolutions, but by examining the definite text of a proposed Bill. The task of Parliament is to decide; that of

the civil servant to prepare the text of the Bill according to what seems the majority opinion of the day. An international conference cannot arrive at effective decisions unless its deliberations are conducted along similar lines. Its work will be greatly assisted if its basis of discussion has been prepared by an international staff, upon an estimation, from all the data available, of the probable line of agreement between the parties concerned. It is, of course, possible, that the proposals of a particular government could form a suitable basis of discussion at an international conference. For this to be the case they must approximate to those that could be prepared by an international staff with all the information available.[1]

The questionnaire method enables the discussions of an international conference to open in an atmosphere which calls for decision. It can be compared with the custom obtaining in the English Bar when Counsel on either side exchange briefs so that they come into Court with a body of evidence upon which they are in agreement.

[1] At the Third Session of the International Labour Conference a British Government delegate asked the Conference to reject the resolution prepared by the Office from replies to questionnaires, as a basis for discussion, and adopt another which he put forward. The Conference did so; but it was obliged to come back to a text similar to that prepared by the Office before final agreement could be reached.

CHAPTER V

THE CONFERENCE—(*a*) GENERAL

THE first practical experience of functional representation on an international basis is being worked out at the International Labour Conference. This Conference is composed of delegates representing the factors in production—Capital and Labour—together with representatives of Governments, who might be regarded by the exponents of certain recent political theories as representing the consumer.

Each State Member of the Organization is represented by four delegates, two representing the Government, one representing the workers, and one representing the employers. The non-Government delegates are appointed by the Governments in agreement with the most representative employers' and workers' organizations of the country concerned. If no such organizations exist, as is the case in some countries of recent industrial development, a difficult situation arises which has been met in various ways. In a number of cases only the Government delegates have attended.[1] But this course, which obviously

1 Conference.	Delegates.	States.	Number of Employers.	Number of Workers.	Technical Advisers.
1st Session 1919	123	40	25	25	155
2nd Session 1920	86	27	19	20	155
3rd Session 1921	119	39	25	25	233
4th Session 1922	112	39	22	22	89
5th Session 1923	122	42	24	24	70

changes the proportions of the groups represented in Conference, has caused a certain amount of misgiving, and the Conference has urged the necessity of full delegations. In other instances, the Governments have, in the absence of organizations which they might justly consider to be those indicated by the Treaty as being " most representative of employers or workpeople, as the case may be, in their respective countries," nominated delegates in consultation with whatever groups were available. In such cases the Governments have indicated on the credentials of the delegates what those groups were, and have left the decision as to whether or no the delegates in question shall be admitted to the Conference itself which has full powers under the Treaty in this respect.

An interesting result of this particular provision of the Treaty has been the undoubted furthering of the formation of national organizations of employers and employed, and every effort is being made to increase the number of full delegations at future Conferences. The equilibrium of the Conference with respect to the relative numbers of employers' and workers' representatives is preserved, at any rate as far as voting power is concerned, by a clause of Article 390 which provides that when only one non-Government Delegate is nominated, the other may sit and speak at the Conference, but may not vote.

The importance of maintaining the proportions among the three categories of delegates is evident. The voting of the Conference is by individual delegates and not by delegations as a whole. Each delegate has an equal vote, whether representing employer or worker, a small State or a Great Empire. When it is remembered that the important decisions of the Conference—the draft Conventions and Recommendations—can be adopted only by a two-thirds majority, the preoccupation with

the preservation of the proportions, which has manifested itself from time to time, is easily understood.

Each delegate is entitled to be accompanied by two technical advisers for each item on the Agenda. These advisers are chosen in the same way as the delegates. The Treaty also provides that "when questions specially affecting women are discussed at the Conference at least one of the technical advisers must be a woman."[1] Technical advisers are allowed to speak at the request of their delegates and on the special authorization of the President of the Conference, but they have no right to vote. A delegate may, however, when absenting himself during one or more sittings, appoint one of his advisers as his substitute, who "while so acting is allowed to speak and to vote in his place."[1] Advisers may also sit as full members of the committees of the Conference.

The position of the advisers thus greatly strengthens the authority of the discussions of the Conference. It usefully enlarges the scope of representation to include just those persons who, in a particular debate, are by their knowledge most qualified to speak. Women have rarely been chosen to attend such Conferences as full delegates. But this procedure enables them to sit on committees dealing with questions relating to the welfare of women and children, and gives them an opportunity to speak upon those questions during the general debate. To take a few examples from among the British delegations alone: At the Washington Conference women such as Miss Constance Smith,[2] Miss Margaret Bondfield[3] and the late Miss

[1] Article 389, Treaty of Versailles.

[2] Senior Lady Inspector of Factories.

[3] Member of the Parliamentary Committee Trades Union Congress; since Parliamentary Secretary to the Ministry of Labour and British Government representative on the Governing Body.

Mary McArthur,[1] besides doing efficient work on the committees, were able, effectively, to contribute to the debates on questions of maternity, the minimum age for the employment of young persons, the employment of women and children during the night, and measures for the protection of women and children against industrial diseases. At the Third Session of the Conference, Mr. Poulton, who was Chairman of the Trades Union Congress, was the British Workers' delegate. But during the debate on agricultural questions it was Mr. Walker, the General Secretary of the National Union of Agricultural Workers, who, acting as substitute for Mr. Poulton, spoke on behalf of the British Workers' delegation. In the same debate, Mr. Batchelor, Vice-President of the National Farmers' Union of Scotland, in the capacity of adviser acting for a delegate, spoke on behalf of the British Employers' Delegation.

The various groups of employers, workers and government members, act in a way which may be compared with the action of the various political parties in national assemblies. These groups usually gather together in private[2] to concert upon general lines of policy, as do the political parties.

For obvious reasons, however, the Government group does not form such a united body as do the other two groups. There is not the same link of common interest between various Government representatives as there is between the delegates of the employers and workers respectively. The traditional antagonism of different national interests appears more evident among the politicians and

[1] National Federation of Women Workers.

[2] Each group has a special room allotted to its meetings. Officials of the Office are rarely present when a meeting of the group takes place, except in the case of the election of officers to the Conference. The official then attends to see that the proper procedure is adhered to.

diplomatists than among the employers and workers. There has, however, been a greater tendency towards concerted action amongst the Government delegates in the more recent Conferences. This is partly due to the habit of working together which has grown up as a result of these yearly meetings, and partly to the realization that they hold the balance between the other two groups. What active combination there is in the Government group is by groups of countries and not a general co-ordination of the policy of the Government group as a whole. The tendency of the Spanish-speaking countries to work closely together has recently been marked at the Assembly of the League and at the International Labour Conference. And there is no doubt that the future will see considerable increase in the combination of the small States, who have very considerable voting strength in the Conference. The tendency towards an increasing degree of combination has shown itself also in connection with the organization of employers. For the first time an international combination, the "Organization Internationale des Employeurs Industriels"[1] has brought together employers connected with every type of industry.

It must not, however, be inferred from the above that the groups at the Conference are necessarily in the habit of voting *en bloc* for this or that measure. A certain party rigidity is naturally involved. For instance, during the 1921 Conference the workers' group expressed itself in forcible terms against the action of the Australian workers' delegate, who voted against the White Lead Convention, which the group as a whole supported. But whatever party antagonism may exist in the earlier part of the discussion tends to break up as the final stage in the discussion of a particular question is reached. If the voting figures of the final record vote are

[1] Headquarters in Brussels.

examined it will be seen that the decisions are practically unanimous. The Conventions or recommendations as adopted are the result of a compromise between the sometimes conflicting interests of the various groups. Each group necessarily has to concede something to the others for agreement to be reached.

On numerous occasions where the national interests of the three groups are the same the division is rather by countries than by groups. The co-operation between the various groups of a particular country at this International Conference is often greater than is ever obtained when the same questions are discussed on a national instead of an international field. A typical example of this can be taken from the Second Session of the Conference held at Genoa in 1920, on the occasion of the discussion of the question of the hours of labour of maritime workers. In France the bitterest conflict had always been prevalent between the shipowners and the seamen. But during the course of this debate the interest of the three groups was the same—to try and get other countries to raise their standard of protection for maritime labour to the level of that of France, and thus prevent unfair competition. This was a case in which the employers and workers, who had never before worked in harmony in their own country, found at an international conference a real point of contact in their common interests.

But the Conference is as yet too young for confident prophecy to be made as to the hardening out of this quasi-party system. There are other factors in this as in all international gatherings which affect the development of the phenomena with which we are familiar in national parliaments. One of these is the diversity of language. Every speech has to be interpreted at least once. A delegate speaking neither of the two official languages provides an interpreter to translate into one of

them, the Conference interpreter then translates into the other. Over a dozen languages are spoken in the course of a single Conference. The method of interpretation is for the delegate to deliver his speech which when completed is summarized by the interpreter in the other official language.[1]

This variety of languages greatly lengthens the duration of the debate. The time taken for the delivery of a speech is often more than doubled. This is very wearisome for the delegates, who, after having understood a speech in one language, have to wait for its translation before a new contribution to the discussion can be put forward. Obviously, if there were no restriction on the length of speeches, any general discussion, within the limit of time available for the duration of the Conference, would be impossible. The Standing Orders, however, lay down a limit for speeches of fifteen minutes. This can only be increased in special circumstances by the express vote of the Conference.

The difficulty of language inevitably arises at any international conference. The present way in which it is dealt with at the International Labour Conference and at the Assembly of the League of Nations is as satisfactory as any so far attempted.[2]

[1] A method used at many other international conferences is for the interpreter to translate each few sentences as they are uttered. This is unsatisfactory. The speaker may lose the thread of his argument. The audience, whether understanding one or other language, is obliged to listen attentively during the whole translation and speech. The translator is not able to use his discretion in omitting the repetitions of certain speakers. Instead of summarizing their arguments, he is forced to give nearly a word for word translation.

[2] At the Congress of the Second International a different procedure is adopted. The Congress divides itself into language groups. The speaker addresses the group to which he belongs. On completion of his speech it is simultaneously translated to the other groups. This method, however, does not give universal satisfaction.

If it is not possible for an international conference to use only one official language it must submit to the use of two and make the best of it. But the use of two official languages, whatever languages these may be, is bound to be met by the objection of those countries who think that they have as good a right to have their own language employed. At every Conference proposals are put forward urging the addition to this or that official language. It is certain, however, that the adoption of any such measure would react unfavourably upon the efficiency of the Conference. The time taken in translating would rob the general debate of all reality. The Conference would tend to become, as many others, a mere machine registering the decisions that are taken in committee. So far, however, the jealousy of the various countries has prevented any further advantage being given to any one country. When the question was discussed by the Standing Orders Committee of the Fourth Session of the Conference a proposal put forward to adopt German as a third official language was met by amendments also proposing the adoption of Spanish, Italian, Japanese and Slav.

Differences of language, serious as they may be, are not so difficult to combat as the differences of mentality, of accustomed procedure and legislative habit. What often impresses an Englishman who attends a meeting of an international conference for the first time is what seems to him the over-insistence of the Latin delegates upon agreement *en principe*. Once a question of principle has been agreed upon, they seem inclined to accept it as a successful achievement, irrespective of the real difficulties that may arise in its practical application. "The Continental, and particularly the French, practice of legislating on the broad principles of a reform, leaving the details to be worked out by the administration, is not familiar to the British mind,

nor is it entirely trusted. The British parliamentarian has never liked to entrust to Government departments the task of 'subordinate legislation,' and though modern circumstances have compelled him to do so, he still does so unwillingly and frequently without full realization of the fact. Hence there arises a certain misunderstanding among the various elements of the International Labour Conference, to remove which the relatively short life of a Session does not allow sufficient time."[1]

The passing of the Annual Army Act in Great Britain and the present criminal code in Italy may be taken as two typical examples of the divergence between the British and Latin points of view in this respect. In the Annual Army Act, passed by the House of Commons every year, is included the complete Army Regulations relating to the smallest points of administrative details. The House retains the right to change any portion of the Army Regulations that it desires. During the debate upon this Act in 1923, it abolished a cruel form of punishment called Field Punishment No. 1. On the debate in a previous year it decided "as to the uniform to be worn by the Brigade of Guards." In Italy, however, it is different. Mr. H. J. Laski[2] states "The power of the Italian official to make ordinances is even more extensive than in France, and it is said upon competent authority, that this is sometimes carried so far as to make statutes nugatory by executive decree. Perhaps the most striking case of delegation of authority in Italy was that of the present criminal code. The details were never presented to the Chambers; a general debate empowered the Government after taking into account the opinions of the deputies, to issue a

[1] H. A. Grimshaw, *International Labour Review*, February 1922.

[2] *The Journal of Public Administration*, 1922.

criminal code by royal decree, existing laws being modified under the same general authority."

The arrangements of seats at the International Labour Conference is one that at once challenges the notice of anyone who has watched the proceedings of parliamentary bodies in other countries. In Continental countries the arrangement of seats is generally on semi-circular lines, the various tendencies graduating from the Left to the Right. In Great Britain we have Government and Opposition sitting in actual physical opposition, and the significance of " crossing the Floor of the House." But at the International Labour Conferences the delegations sit in alphabetical order by countries. The four delegates of the different groups sit at one desk with their adviser seated behind them. It is difficult to analyse exactly how this arrangement of seats affects the action of the delegates. But all students of psychology will admit that the conduct of men sitting individually in an assembly is not the same as if they were sitting side by side with their supporters. They are not moved in the same way by the mass suggestion of their group. Purely party " scores " have not the same chance of being applauded. In this Conference the speaker follows the usual Continental practice and, except on points of order, speaks from a tribune in the centre of the hall.

To get a clear view of the working of this Conference one is more inclined to compare it with other international conferences dealing with similar questions. At international trades union meetings, like the Transport Workers' or the Mine Workers' International Congresses, the decisions affect only one class of worker. At the International Labour Conference the decisions may affect all categories of workers. The International Socialist Conferences which have mainly political objectives like other international conferences, such as the Inter-Parlia-

mentary Commercial Conference (representing opposing interests), are without an administrative machine to carry out the resolutions which they adopt. At such conferences more resolutions are passed and less care is taken in their drafting. And as such resolutions are not of a very binding nature, resolutions of purely sectional interest are apt to be passed owing to the general apathy of large sections of members. The assemblies with which the present International Labour Conference can most usefully be compared are the International Labour Conferences which took place at Berne in 1906 and 1913. The decisions of these conferences were arrived at in two stages; a conference purely of technical experts was first held to discuss and decide upon desirable measures of social reform, these decisions being then submitted to a subsequent conference of Government representatives who examined the text proposed by the experts. The International Labour Conference combines these stages into one: it is a conference of diplomats and experts.

The holding of the International Labour Conference involves many problems of varying importance. Two, however, should be carefully considered, as upon the manner of their solution largely depends the power of effective action of the Conference: the question of the periodicity of its Sessions, and the number of conventions and recommendations that should be passed at each meeting.

It has often been urged that too many decisions have been passed by the Conference. For instance, twelve Draft Conventions and Recommendations were adopted at the First Section, seven at the Second and fifteen at the Third. Under the Peace Treaties each State Member is under the obligation to submit these decisions, within a year (or in exceptional circumstances, within eighteen months) to the authority competent to ratify or enforce them. And it has been argued, with some justice, that if so many

decisions were to be adopted every year, national legislative machinery would be unable to absorb them. In 1923 the House of Commons only gave one afternoon to the discussion of seven Draft Conventions and eight Recommendations—a totally inadequate time for proper parliamentary consideration of fifteen important proposed measures of social reform. It is to be hoped, as its necessity becomes more evident, that the democracies of the world will realize more and more the importance of international co-operation playing a larger part in their political life. In the meantime it seems wise to guard against over-burdening parliaments with too many international recommendations.

The large number of decisions adopted at the first three Sessions was one of the objections that is often made against holding a Session of the Conference every year. The two problems are not necessarily linked together, for at the Fourth and Fifth Sessions only one recommendation was adopted in each case. This was no doubt going to the other extreme, but was the natural reflection of the unfavourable economic and political situation. It was probably thought wiser for the Organization to stabilize its gains rather than jeopardize its future by putting forward a programme of social reform more advanced than the world was, at that time, willing to accept or even consider.

But even if outside influence had been more favourable, it would still have been desirable to pass fewer conventions and recommendations than at the earlier Sessions. Their adoption had been a necessary step in the proper functioning of the newly-created Organization; for it had become necessary to codify and stabilize on an international basis the progress so far made in social legislation. The effectiveness of the Organization will not, however, be reduced if a smaller number of decisions are taken at its future Conferences. If in normal times only two or three

conventions upon such important questions as hours of labour, emigration, maternity, factory inspection, or the protection of child and female labour, are yearly endorsed by the considered consent of most of the parliaments of the world, a very solid advance will have been made in the movement for the international betterment of social conditions.

More serious objections have been advanced against the holding of yearly Sessions. Most of the delegates hold responsible positions in their own countries and find it difficult to spare nearly a month every year to attend the Conference. It is important that the Government delegates should include the Minister responsible for social legislation. Many of the delegates find it difficult to spare the time, especially if the Conference takes place during their parliamentary session. This objection can be made with even greater force by the representatives of distant countries, for they may have to be away from their country several months to attend the Conference. The alternative—that overseas countries should send representatives to attend these Conferences, who are permanently resident in Europe—is not satisfactory. They cannot, in the nature of things, be in close touch with social conditions in their own country. It is important that the Office should be in continual contact with persons directly connected with the daily political and social life of all the State Members. Further, it is important, for the practical achievement of the ideals of the Organization, that the delegates should bring back to their countries the atmosphere and experience of these international gatherings. This factor cannot be over-emphasized.

The employers also insist on the difficulties they encounter in absenting themselves so long from their business. Mr. Edström, the former President of the Employers' Group, in opposing the idea of a yearly Conference at the Fourth Session, pointed out how essential it was that " real employers " should attend

as representatives at the Conference. It is undoubtedly desirable that a large proportion of the employers' group should be composed of actual employers, directly in charge of the management of large industrial concerns, rather than the paid officials of an employers' organization : for the actual employer speaks with more authority than his officials. The latter are apt to endeavour to get quick party "scores" which will gain the recognition of superiors, rather than take the longer and more statesmanlike point of view—not always so popular at the moment, but which is so necessary to the success of such a conference.

The difficulty of attendance is one that is urged at every international conference and can only be answered by the importance that is attached to these conferences. If ultimately the Assembly of the League becomes the body where the fate of Europe is to be decided, there will be no difficulty in getting the Prime Ministers of the Big Powers to attend. If the International Labour Conference continues to be invested with the importance of its early Sessions, there will be no difficulty in securing the attendance of leading statesmen along with prominent employers' and workers' representatives.

The difficulty of overseas countries is a very real one and cannot easily be remedied until improvement in the means of communication considerably reduces distance between one country and another. Delegates from these countries have often been heard to say, "Are the Conferences of the League to be regarded as European or World Conferences?" A reasonable means of equalizing the burden is for these Conferences to be held occasionally outside Europe. The first labour conference was held in Washington. It does not therefore seem unreasonable to suggest that future Conferences be held in South America or Japan. It would be most appropriate in such a case that the Agenda should deal with some aspect of

tropical labour or working conditions in Eastern countries. The country where such a conference would be held would probably do a great deal to reduce the extra cost involved. The experiment is certainly one that suggests fruitful possibilities, and would do much to popularize the ideas of the Organization in distant countries.

Another criticism that is made against yearly Sessions is that Governments have not sufficient time to give adequate consideration, prior to the Conference, to the problems that are brought up there. Owing to this want of preparation, the policy of various Governments with regard to them, has often been changed, when new aspects of the question were raised. This criticism is justified when made by the more distant countries. The questionnaires have often been sent only four months before the opening of the Conference, and it has often happened that delegates have been obliged to leave their countries without having received any written instructions as to their Government's policy. This difficulty will be largely mitigated when it becomes possible to exchange diplomatic correspondence by wireless. But in the case of countries where this difficulty of communication exists, the same answer can be given as in the case of attendance. If the decisions of the Conference are viewed as important, the Governments will find time to give adequate consideration of their policy with regard to them.

There is much to be said for yearly Sessions. The meeting of the Conference is the only time when the Organization becomes a living entity. It is the only opportunity which the Government, employers and workers (other than the few on the Governing Body) can collectively get into touch with one another and with the permanent office. It affords the best opportunity in which to focus public opinion upon the work being done by the Organization. The practical achievement of the work accomplished by the League

and the International Labour Organization largely depends upon the force of public opinion behind it. No opportunity should be lost of keeping that public opinion alive and interested. To extend, therefore, the period between the Sessions might weaken the authority of the Organization. Further, it would certainly lessen the support of a large section of the working classes, who would regard such action as deliberate breach of the pledges given in the Labour Section of the Peace Treaties.

This matter was brought before the Fourth Conference. It was realized that even if a resolution were adopted to amend the Treaty so that the Sessions could be held every two years this would at the best only come into operation in three years' time, as it entailed a revision of the Treaty—a lengthy operation to say the least. Another formula was found, and the Conference recommended that the Governing Body should arrange to hold " alternative Sessions of preparation and of decision. In the examination of items inscribed on the Agenda, the first Sessions should be devoted to the general discussion of drafts for Conventions and drafts for Recommendations demanding a vote by a majority only. The final vote upon these decisions requiring a two-thirds majority should be held at the opening of the following Session." In other words, the periodicity of the Conference remains the same, but the first two readings of a convention or recommendation are passed at one Session and the third reading at the next.[1] This solution seems unsatisfactory and fails to meet the disadvantages which are complained of in the case of the early Conferences. The position of overseas countries remains the same. They may

[1] It must be remembered, however, that each Session of the Conference is free to regulate its own procedure. At the Fifth Session (October 1923) the Conference decided to pass the recommendation on factory inspection without referring it to the following Session for final endorsement.

be inclined not to send a representative to the preliminary Conference but only to the Conference where the final decision is to be made. It does not really solve the question of giving more adequate preparation to the questions. This preparation should largely take place before the Conference opens. If a Convention were to go through the first two stages at the first Conference and when the final vote had to be taken at the next Session it were found that these provisions were unsatisfactory, the whole work of the first Conference would have to be restarted. This method, moreover, extends by a year the minimum time in which action will be taken in any country upon questions placed on the Agenda of these Conferences. That such a decision was passed is perhaps more a reflection of the political tendency of the moment than the real requirements of the Labour Conference.

International conferences have often been made use of by some countries as a platform for national propaganda. But the President of the International Labour Conference seems so far to have been alert to this danger. Occasionally the Cuban Government delegate will explain to the Conference that his country is one flowing with milk and honey where workers live under conditions of Arcadian beatitude. Declamations of this sort add a touch of humour to the Conference, and are rarely made except by the member of an incomplete delegation. If the Japanese Government representative starts to lecture the Conference on the advantages derived by workers living in the land of the Rising Sun, his statement is liable to be denied by the workers' representative, and sometimes denunciations follow which are quickly put an end to by the President. This is an instance of the advantages which are derived by an International Conference composed of national delegates of different tendencies and points of view. Statements made by the delegates are couched in moderate

terms, and are more likely to approximate to the truth than if no opportunity for contradiction existed.

It has been urged also that small countries have a voting strength quite out of proportion to their real importance in world affairs. But it can be said that they have not thus far taken any unfair advantage of this position. On the contrary, at the early Sessions the tendency seems rather to have been the other way. Many of the delegates of the small countries, out of tradition and inexperience, seemed to lean more than was necessary upon the words uttered by some of the representatives of the Big Powers. A more independent attitude is, however, beginning to assert itself and should be beneficial. The equal rights and status that are enjoyed by the small countries in the institutions of the League is a hopeful sign in international politics. At meetings of the Council, of the Governing Body, of the Assembly of the International Labour Conference of the League, men of high culture and great political experience are able to bring the result of their knowledge and learning to bear upon the general problems of the world, in a way that was impossible in the past.

If the general state of Europe since the Armistice is examined, more active signs of reconstruction will be found in the small countries than in the large ones. Conditions in Holland, Belgium, Denmark, Switzerland, Austria, Czecho-Slovakia, Lithuania, Finland and Latvia certainly compare very favourably with those of their large neighbours, England, France, Germany and Russia. A closer combination of the small countries might be a helpful factor in assisting in the betterment of world conditions.

CHAPTER VI

THE CONFERENCE—(*b*) PROCEDURE

THE procedure of the International Labour Conference has gradually evolved to its present form mainly as a result of experience. It is a combination of British Parliamentary procedure in debate with the French Parliamentary system of committees.

The Organizing Committee of the First Session of the Conference drafted provisional Standing Orders. These were only intended to be a general guide, and provided an elastic procedure which was most useful during the early Sessions. The Conference during these Sessions always asserted its right to govern its own procedure and depart from these provisional rules when experience had proved that such action was conducive to the more effective working of its proceedings. Important revisions and additions to these Standing Orders were only adopted at the Fourth Session. This was a wise step, for it allowed sufficient time for this Conference, set up on quite novel lines, to take stock of its experience. Its work might have been considerably hampered had its procedure been codified from the moment of the creation of the Organization.

From the point of view of procedure, the Third and Fourth Sessions were the most important. The First Session, held at Washington, was somewhat hastily organized. The Second Session, held at

Genoa, was less important because of the comparatively smaller attendance of delegates owing to the Agenda being limited to maritime questions. The two subsequent Sessions were held at Geneva at the seat of the permanent organization and their proceedings were directed by Lord Burnham, who had enjoyed nearly twenty years' experience of parliamentary procedure in the British House of Commons. The presidency of Lord Burnham at the Third and Fourth Sessions may be considered as the most determining factor in the present rule of procedure.

The duration of the Conference has varied between ten days and a little over three weeks. When the Conference opens the members of the Governing Body act as provisional officers of the Conference, pending the election of such officers by the Conference itself. The Director and Deputy Director of the Office act respectively as Secretary-General and Assistant Secretary-General of the Conference.[1] The Secretariat of the Conference are mostly appointed from amongst the officials of the International Labour Office.

The next step is the verification of the credentials of the delegates. The credentials of non-Government delegates have frequently been challenged at the International Labour Conference and have led to many heated arguments. Article 389 of the Treaty lays down that "non-Government delegates and advisers must be chosen in agreement with the industrial organizations which are most representative of employers and workers," and complaints have often been made that appointments have not been made in accordance with this Article. A notable case was that of the Netherlands Workers' delegate at the Third Session. Mr. Oudegeest, Secretary of the International Federation of Trade Unions and President of the largest Netherlands Workers' Organization, had been appointed to previous Con-

[1] Article 401, Treaty of Versailles.

ferences and was also a member of the Governing Body. On this occasion, however, the Dutch Government appointed a representative of the Christian Socialist Unions, which though individually not anything like so large as Mr. Oudegeest's Union were collectively numerically stronger.[1] This action was regarded by the workers' group as an indirect reflection on the International Federation of Trade Unions. As no compromise could be found to satisfy both parties, the Conference decided to submit the question for arbitration to the Permanent Court of International Justice. The decision of the Court in this case upheld the nomination of the Netherlands Government and stated that the Conference itself was competent to decide upon the credentials of its delegates. In the following year the Netherlands Government arranged a compromise by which Mr. Oudegeest's Union and the Christian Socialist Union should be represented at the Conference in alternate years. At the Fifth Session two new developments arose on the question of the appointment of non-government delegates. In the case of Japan, for the first time the Conference adopted what—though drafted in the courteous language of diplomacy[2]—amounted to a vote of censure on the method of appointment of a workers' delegate. In the case of Spain the first instance was recorded of the protestation of employers' organizations to the appointment of the employers' representative. The controversies that have arisen

[1] See Official Bulletin of the International Labour Office, 16 August 1922.

[2] "While not questioning the *legal* validity of the method adopted by the Japanese Government on this occasion, it is hoped that in the future methods may be found for choosing the workers' delegate, which will give general satisfaction and will avoid the protests of the organized workers which have now been repeated at four International Conferences." (See Provisional Record Fifth Session, p. 89.)

at every session on the question of credentials are a healthy sign, examples of the importance with which representation at the Conference is viewed and valued.

The President is appointed by the Conference. In practice, however, this appointment is not left to the chance vote of the Conference. The Governing Body consider the suitability of various possible candidates, and their recommendation has, up to now, always been endorsed by the Conference.[1]

Three Vice-Presidents are appointed, one from each group. The Vice-Presidents preside in rotation at those sittings or portions of sittings at which the President is unable to preside. An example of the difficulties which sometimes interfere with the smooth running of international meetings may be taken from the differences which arose in the appointment of Vice-Presidents at the Fourth Session. The Workers' Group adopted Mr. Jouhaux, the Secretary of the Confederation du Travail, and the Employers' Group also adopted a Frenchman, Mr. Pinot, of the Production Française. The constitution does not allow of the election of two Vice-Presidents of the same nationality, and as neither side would give way only one Vice-President was elected at this Conference.[2]

Like most deliberating bodies the Conference divides itself into committees. These committees

[1] Presidents of the Conference: First Session—Hon. W. H. Wilson, Secretary of Labour, U.S.A.; Second Session —Mr. Major des Planches, who had at previous Conferences been first delegate of Italian delegation; Third Session—Lord Burnham; Fourth Session—Lord Burnham; Fifth Session—H. E. Prof. Adatchi, Japanese Ambassador in Brussels, first delegate of Japanese delegation at previous Conference.

[2] The new Standing Orders have provided against the re-occurrence of this difficulty, by laying down Seniority of Vice-Presidents by a system of yearly rotation by groups. Should such a case arise again the nomination of the Vice-President by the junior group would be invalid.

are of two kinds: (*a*) those dealing with the machinery of the Conference: (*b*) those dealing with legislative acts.

In the first category are the Selection, Credentials, and Drafting Committees. The Selection Committee is the most important committee of the Conference. Its principal task is to determine the order of the work of the Conference, in accordance with the general desires of the Conference. It "fixes the date of the plenary sittings, the agenda for each sitting and decides the resolution to be discussed by the Conference at its later sittings." The Committee is composed of twelve Government delegates, six employers' delegates and six workers' delegates, who are appointed by election by each group. The Committee of Selection decides the setting up of the other committees and is responsible for their composition, subject of course to the endorsement of the Conference. Each group is asked to furnish the Selection Committee with a list of names in order of preference comprising a larger number than there are places allotted to the group on the Committee in question. The Selection Committee then examines "the lists furnished by the three groups and if it appears desirable that any adjustment should be made in the composition of the Committee so as to secure representation more adequate for the subject with which the Committee would deal, or more satisfactory as regards allocation of seats to various nationalities, the Committee of Selection shall endeavour to secure such adjustments provided the assent of the representatives of the groups who are present is obtained."

The Selection Committee thus facilitates the procedure in general debate. Difficulties that might give rise to long and fruitless discussion in debate are often referred back and settled by this Committee, which is always assisted by the President of the Conference and its Secretary-General. The functions of this Committee may, in this respect, be

compared with the Rules Committee of the U.S.A. Congress.[1] If Congress "becomes hopelessly tangled in its own rules, as it sometimes does, the Committee on Rules may provide a means of escape through a rule specially devised for the situation." The Rules Committee has very considerable power of initiative but, unlike the Selection Committee, this power is restricted to matters of procedure.

The Drafting Committee is composed of at least three persons who "need not be either delegates or technical advisers of the Conference."[2] They generally include the legal experts of the International Labour Office. They were assisted at the 1922 Conference by two legal advisers belonging to one of the Government delegations. The British Government delegation proposed at that Conference, that this Committee should always be composed of at least two members belonging to the delegations. This proposal was rejected. The rôle of this Committee is to draw up the decisions of the Conference in proper legal form and to ensure agreement between the French and English texts. This involves considerable knowledge both of international law and of the legal phraseology of the various countries. This experience is more likely to be available amongst the specially chosen legal advisers of the Office than if left to chance appointment amongst the delegations.

The Credentials Committee is composed of one representative of each group.

The other committees are appointed by the Selection Committee for each item on the Agenda or upon any question which the Conference may decide. Each Committee may again divide itself into sub-committees. These committees are composed of an equal number of Government, employers' and workers' representatives. The difference in the com-

[1] The Business of Congress by Samuel McCall, pp. 52, 53.
[2] Article 7E, para. 2 of the Standing Orders of the Conference.

position of the Committee and the Conference is important. It emphasizes one of the chief objects of the committees; to try to find a compromise between the interests of the three different groups should these interests be in conflict. The committees sit as a body of experts, every side having an equal hearing. Whilst a two-thirds majority is required for a Convention to pass its final stage in the Conference, a simple majority is sufficient for a decision in the committees.

In legislative assemblies where the committees do a great deal of work it is often argued that the strength of committees reduced the effectiveness of discussion in the general debate—the assembly tends to be a registration machine for the decisions arrived at in committee. But the difference in composition and voting power in the committees and in the general sitting of the International Labour Conference certainly contribute to an even balance of discussion in these two bodies. The number of persons on each of the important committees varies from six to twelve representatives from each group. The fact that delegates from forty countries can agree to appoint a small number of their representatives to represent their interests and that these can do so effectively is an interesting demonstration of what international co-operation can achieve. At the Fifth Session the demand was made by a few government delegates that the committees should be enlarged to include the delegates of many countries who had no place on them, whilst others were represented on nearly every one. But the Conference rejected this contention on various grounds. In the first place every delegation can send a representative to take part in the deliberations (without power to vote) of any committee on which it is not represented. Secondly because it is necessary that the equality of representation between Governments, employers and workers should be maintained on the committees.

This necessitates small committees because quite apart from the fact that the representation of Governments equals that of the other two groups, many delegations do not include non-Government representatives. The general view of the Conference was, as Mr. Fontaine put it, " that the object of the committees was not to form a meeting ground for all the nations of the earth, but to enable the world to benefit by the experience gained and to bring about uniformity rather than widen divergences. Moreover can one imagine Great Britain, the first country to institute factory inspection, not being represented on any committee dealing with this question."[1]

As in the French Chamber each committee may have one or more " rapporteurs," a majority and minority report being sometimes presented to the Conference. The tendency at the recent Conferences has been for the Chairman to assume the task of " rapporteur " for the majority. The members of these committees are appointed because of their recognized competence in the subject under discussion, as is the practice in France and in the case of the Select Committees of the House of Commons.

The first question which is considered at the Conference is the possible objection of any country to the inclusion of an item on the Agenda.[2] If an item is called into question a majority of two-thirds of the votes cast by the delegates present is necessary for such items to be retained on the Agenda. Obviously if two-thirds of the members are not prepared to discuss a particular question it is hardly likely that it could secure the necessary majority for any effective action to be taken by the Conference.

The Conventions or Recommendations examined by the Conference go through three stages.

[1] Fifth Session of the Conference Provisional Record, p. 35.

[2] Article 402. See also footnote on p. 98 for fuller discussion of this aspect of the question.

The first stage is a general discussion. The Conference decides whether to send the subject of the proposed Convention or Recommendation to be examined by one of its committees. The draft sent to the Committee may either be the draft drawn up by the Office based upon the answers to the questionnaires; or a new draft introduced by the Conference.[1] The practice has, however, been to use the draft prepared by the Office as a basis of discussion. This stage may be compared to the second reading in the House of Commons when a Bill is "committed." A simple majority of the Conference is sufficient at this stage. The whole question is then discussed in great detail by the Committee, whose usual task is to draft a text for the final decision of the Conference.

The next stage is for the "rapporteurs" of the committee to present their report to the Conference. In this part of the debate the "rapporteurs" are the only members of the Conference who are allowed to address the Conference more than once upon the same question. The clauses of the draft under discussion are discussed and voted upon one at a time. A simple majority is sufficient at this stage, which can best be compared with the report stage in British Parliamentary procedure. The resolutions as adopted are sent to the Drafting Committee for putting into proper legislative form.

The third stage is the final vote in the Conference. The text of the Drafting Committee is submitted to

[1] At the Fourth Session of the Conference, the British Government delegate had proposed that the commission dealing with the question of weekly rest should adopt, as a basis of discussion, a draft other than that prepared by the International Labour Office. The Committee agreed. But the resolution finally adopted, which had been hammered out at successive stages in the committee, was practically the same as the one which the International Labour Office had originally suggested as a basis of discussion.

the Conference for its final vote. On this occasion a two-thirds majority is necessary, and a record vote is taken. In the original Standing Orders should a resolution be rejected in the form of a Convention there were no facilities for it being re-introduced in the weaker form of a Recommendation. This anomaly has been removed in the new Standing Orders which enables such a resolution to be re-introduced in the form of a Recommendation during the same Session.

One of the features of these Conferences is the discussion of the Report of the Director, which was first introduced at the Third Session. Under Article 408 of the Treaty each of the State Members undertake to make an annual report to the International Labour Office of the " measures which it has taken to give effect to the provisions of the Conference to which it is a party." These reports are submitted to the Conference by the Director, together with a general review of the whole work of the Organization during the previous year. When this report was first introduced there was some discussion as to whether the report was to be represented to the Conference on the responsibility of the Director or of the Governing Body. And it was finally decided to leave the responsibility of this report in the hands of the Director.[1] At the early Conferences when

[1] At the Third Session of the Conference, a resolution was passed upon the recommendation of the Selection Committee laying down : (*a*) It is clearly understood that the Report is presented in the name of the Director and on his sole responsibility, and that the delegates to the Conference to whom the Report has been made assume no responsibility for any part of its contents, even if they have not definitely expressed their disagreement therewith; (*b*) Delegates shall be in order in asking for explanations regarding the Report in the form of questions or interpellations, but no general discussion shall be initiated; (*c*) It is to be understood that this method of interpellation shall be adopted to the exclusion of any

sufficient time had not elapsed for many Conventions to be ratified and applied most of the report was concerned with a general review of the work of the Organization during the year rather than with the reports to be submitted by the various State Members under Article 408. But as the process of ratification is enlarged a greater proportion of this report will be devoted to the reports of the various States.

This report gives an opportunity for criticism on the part of delegates embracing the whole field of the Organization's activities. Members comment upon the activities of the Office during the year, and the Director of the Office intervenes during the discussion to reply to criticisms and give what explanations are required. This may in some respects be compared with an "Interpellation" which is a common method of criticizing a minister or his Department in the French Chamber of Deputies. In the case of the International Labour Conference, however, no question of confidence arises. The Director's position is not that of a Cabinet Minister having to defend his actions in the face of a possible hostile majority. As an official his object is to bring to light, in an impartial spirit, the various problems that arise in the general functioning of the Organization. The discussion enables the permanent Administration to get into close touch with the views of the Conference. It also gives the delegates an opportunity of making suggestions and criticisms, which their country or group is not able to make effectively during the year, if it is not represented on the Governing Body.

The position of the Director in these discussions

other method of procedure, and that no general resolution of any kind may be proposed on the occasion of this Report.

(Director's Report to the Third Session of the Conference, p. 205. Director's Report to the Fourth Session of the Conference, p. 40.)

may be compared with that of a Member of the Federal Council in the Swiss Confederation.[1] A Minister of Switzerland combines the attributes of a political officer and that of a permanent official. He remains in office for a long term of years irrespective of changes in the relative strength of parties. He does not resign if parliament rejects proposals or legislation which he has put forward on a particular question. He merely adjusts his policy, with regard to this question, according to the desires of the majority of the day.

The discussion of the report, which embraces a wide range of subjects, is also the occasion on which members can express their views upon the general labour problems of the moment, whether these are the subject of an item on the Agenda of that Conference or not. Some question dealt with in the report is used as the peg of the discussion. In this respect the discussion is similar to the Estimates Debate in the House of Commons. At the Third Session, for instance, an important discussion arose upon the general problem of unemployment, which was not on the Agenda.

The procedure for the moving of resolutions or amendments follows the spirit of British Parliamentary procedure. Any delegate is free to move resolutions or amendments. This power is, however, surrounded by some restrictions.

A resolution relating to an item on the Agenda can only be moved if a copy has been distributed to the Secretariat two days previously. The Secretariat

[1] Article 102, Section 16 of the Swiss Federal Constitution. "Il rend compte de sa gestion à l'Assemblée fédérale, à chaque session ordinaire, lui présente un rapport sur la situation de la confédération tant à l'intérieur qu'au dehors et recommande à son attention les mesures qu'il croît utiles à l'accroissement de la prospérité commune—Il fait aussi des rapports speciaux lorsque l'Assemblée fédérale ou une de ses sections le demande."

then distributes it to the delegates. In the case of a resolution not referring to an item on the Agenda it must be deposited with the Director of the International Labour Office at least seven days before the opening of the Conference. Motions of urgency can, however, be introduced on twenty-four hours' notice with the approval of the President and the other officers of the Conference.

Amendments to resolutions may be moved without previous notice, but a copy of the text of the amendment " must in every case be handed to the Secretary of the Conference before the amendment is moved." This is to enable a proper translation to be made. The procedure of amendment at the International Labour Conference follows British Parliamentary practice. " If an amendment to a resolution has been moved no other amendment can be moved until the first amendment has been disposed of. Amendments shall be voted upon before the resolution to which they refer."

During the discussion of any motion it is the unwritten rule that the President should, as far as possible, recognize in turn delegates of the three different groups, should they desire to speak. It is usual for delegates to send a word to the President before or during the sitting stating their intention of speaking. This is of assistance to the President in " recognizing " the various speakers.

The closure may be moved at any time if supported by thirty-five members. Any group has the right to express its opinion on the subject of the closure by appointing a speaker to state its case. Only five minutes is allowed for a speech against the closure. The facilities for moving the closure of a debate could be followed with advantage by many other international conferences. Most of them have no procedure to prevent the prolongation of a discussion after it has exhausted all useful purpose. Many delegates at such conferences behave as if they felt

that the dignity of their country would be lessened, were they not allowed to add their quota to such a discussion. This has a very harmful effect on a conference, which is only able to sit for a very short time.

The resolutions adopted at the Conference, other than the Draft Conventions and Recommendations, are generally based on the power given to the Conference (by Article 396 of the Treaty of Peace)[1] to assign to the International Labour Office any new field of activity that it may think fit. Numerous permanent committees have been appointed and important inquiries undertaken as a result of such resolutions. Difficulties, however, were apt to arise. The International Labour Office might be called upon to undertake some very extensive new work, without the Conference having considered the expenditure involved. To guard against this Article 13 of the new Standing Orders provides " that any motion or resolution involving expenditure shall in the first instance be referred to the Finance Committee of the Governing Body for examination and report. The Finance Committee shall include in its report an estimate of the cost and a suggestion as to the manner in which provision might be made for the necessary expenditure. The report of the Finance Committee shall be made not later than two days after the resolution has been referred to it and shall be circulated to the Conference at least twenty-four hours before the motion or resolution is discussed by the Conference." This procedure follows closely that of French Parliamentary procedure in finance. When a Commission in the French Chamber examines a Bill involving an increase in expenditure, it makes a report on the Bill without making any

[1] Article 396, para. 5. " In addition to the functions set out in this Article, the International Labour Office shall have such other powers and duties as may be assigned to it by the Conference."

proposals as regards finance. If the report is favourable to the Bill it is submitted to the Finance Committee, which within ten days must give its opinion concerning the provision of funds. This report of the Finance Committee is added as an appendix to the report of the original commission.[1]

A point of procedure which has often led to controversy was the manner in which the records of the Conference should be prepared. In the American House of Representatives members are allowed to have their written speeches printed in the final record, even if they have not been actually delivered. This procedure was allowed at the First Session of the Conference, which took place in Washington in 1919 and which was presided over by an American Chairman. But considerable opposition to this practice was raised in subsequent sessions. As Mr. Jouhaux put it (1921 Conference): "The speeches made at the Conference are not delivered with a view to being inserted in a book, but in order to put forward live arguments and to enlighten the delegates on the points at issue." It was therefore decided to include in the new Standing Orders[2] a clause prohibiting the record of any speech not actually delivered. In the same way the speeches of the official translators are inserted as uttered whether they are correct translations of the original speeches or not. It was decided to make the verbatim record a word for word report of the proceedings. It is important to give an account which reflects the difficulties of language which sometimes arise at such conferences and which considerably influences the trend of the discussion.

At the Third Session Lord Burnham introduced the use of a division bell as in the British House of Commons. This was quite a novelty for a con-

[1] Article 32, Règlement de la Chambre des Députés; also Chapter 774-5 "Traité de Droits Politiques" by Pierre.

[2] Standing Order 19. Record of the Third Session, p. 397. Fourth Session, p. 215.

tinental assembly. At the same Session Lord Burnham gave an interesting ruling on the question as to whether during a record vote the deliberate abstention of a delegate should be taken into account. The Treaty of Peace requires a majority of "two-thirds of the votes cast by the delegates present" for the passing of a Convention in its final stage. The practice at the early conferences was to allow the vote of a member who stated that he had abstained from voting to be included in the total of votes cast for the purpose of calculating the required two-thirds majority.[1] But this view was not taken by Lord Burnham. "The difficulty is a real one. It is a difficulty not only between the French *suffrages exprimés* and the English 'votes cast,' but also between our Parliamentary practice in Great Britain and that of other Parliaments." In making a ruling that in future the only votes counted should be for or against, he stated that he thought it was in the public interest that delegates should definitely make up their mind one way or another. At the Fourth Session the Conference embodied this ruling in its new Standing Orders.

The procedure of the International Labour Conference differs from that of most other international conferences because of the nature of its decisions. At most international conferences—whether an international trade union meeting, an international socialist conference, or a conference like the Economic Conference of Genoa—the aim is to find a formula which will gain unaminous approval. Resolutions are passed, which it is hoped most parties will eventually agree to incorporate in their policy. But there is generally no definite obligation attached. It is different with the International Labour Conference. Even if a Government delegation has

[1] Record of the Fourth Session, p. 91, Speech of Secretary-General.

voted against a particular draft convention passed by the required two-thirds majority, that Government is yet bound to submit this measure to Parliament or the "competent authority to ratify" for final decision. The minority is to this extent always bound by the decision of the majority. Moreover, the work done by the International Labour Conference is, in this respect, more than that of other international conferences, akin to the work of national parliaments: it is mainly concerned with the passing of legislation.

Perhaps the chief interest of the procedure of the International Labour Conference is that it is a combination of Parliamentary procedure in various countries, evolved by the test of experience and untrammelled by previous tradition.

CHAPTER VII

INTERNATIONAL COMMISSIONS

Advisory Commissions play an important part in the normal working of the International Labour Office. They enable the official in Geneva, instructed with the task of collecting information on particular questions, to be assisted by the best outside advice available. The Commissions are the means by which the Office can effectively obtain the co-operation of the interests affected in the solution of a particular social problem. The Office is in this way assisted in working out a practical policy which will meet with general acceptance. The approach to universality in the character and extent of its research work is also materially furthered. Indeed, Advisory Commissions such as those set up by the International Labour Office are a powerful factor in preventing international organizations from drifting into a narrow bureaucratic channel—out of touch with the events they seek to influence.

The causes which have led to the appointment of the various Advisory Commissions of the International Labour Office are different in almost every case. " In some cases they were set up to respond to the resolutions of the Conference; in others to assist the scientific studies of one of the sections of the Office; in others to meet a need felt by a number of persons interested in a certain problem; in other

cases again to secure within the Office a more adequate representation of certain industries."[1] The Commissions may, however, for purposes of comparison be divided into two groups:

(1) Those Commissions which are set up largely with a view to obtaining a consultation of interests affected. On these the various interests are proportionately represented.

(2) Those Commissions whose work is purely scientific; the whole of the members are specialists and experts.

The resolutions passed by any such Commissions of either group are purely advisory. The terms of reference and the composition of the Commissions of the first category are determined by the Governing Body to whom are submitted the recommendations and suggestions made. The Commissions of the second category come within the purvey of the Director, because of their character as conferences of experts. He is responsible for their composition and work, in virtue of his position as the official responsible for the scientific work of the Office. His initiative in this respect is, however, subject to the Governing Body's approval of the expenditure involved.

The Commissions of the first category have a "joint" character. They are composed of the same elements as are the Conferences—representatives of Governments, employers and workers. A survey of the composition and task of some of these Commissions will best illustrate their place in the daily activities of the International Labour Organization.

We may take the Joint Maritime Commission. It was appointed in 1920 on the occasion of the Second Session of the Conference, to deal exclusively with

[1] Director's Report to the Fourth Session of the Conference, p. 237.

maritime questions. It was composed of five shipowners, five seamen and three members of the Governing Body, one of whom acted as Chairman. It helped to secure the loyal co-operation of shipowners and seamen in the application of the decisions of the Conference. It also arrived at an agreement as to the general lines on which an International Seamen's Code could be formulated—the object of such a code being to establish certain uniform rules with regard to such questions as Articles of Agreement, accommodation of seamen on board, the settlement of individual disputes and the insurance of seamen. At that time the relations existing between the shipowners and the seamen were strained and the embitterment of feeling held every threat of a general strike. That the strike was averted is largely attributable to this Commission, which by its moderating influence, produced a more conciliatory feeling. Thus the International Shipping Federation and the International Seafarers' Federation were enabled to hold joint meetings, under the impartial chairmanship of the Director of the International Labour Office, on the question of the regulation of hours of work in ships. As a result of these conciliatory meetings, a general seamen's strike, with all its inevitable harm, was avoided. The ill effects of a stoppage of work at that particular time—just prior to the second winter after the War—could have been incalculable, when there was already a danger of a serious shortage of food supplies in many European countries. The result obtained gave great satisfaction to both parties and is an indication of the part which the International Labour Office may be called upon to play in the future as an impartial international organ of mediation between Capital and Labour.

By its functions it seemed only natural that the International Labour Office should bring within the

scope of its activities the protection of emigrants. Like the unemployed, emigrants are in search of work. Like seamen, they form a kind of international people, whose welfare every country desires but whose interests and protection can only be assured by common agreement. The task of the Office, however, was a difficult one, as the divergence of interests, amongst those affected, was considerable. The policy of emigrant countries is often opposed to that of immigrant countries. Moreover, the United States, the most important immigrant country, was still not a member of the Organization. Further, the powerful trade interests of the shipping and insurance companies had to be reckoned with. From the outset, therefore, it was important that the impartiality of the Office, as between one set of interests and another, should be free from criticism. Prior to the question of emigration being dealt with by the Conference, an International Emigration Commission was set up to ascertain on what points it seemed likely that world-wide agreement could be obtained. This Commission was presided over by Lord Ullswater, the former Speaker of the House of Commons, and was composed of some thirty Governments', employers' and workers' representatives. Care was taken in its composition that at least half the members belonged to non-European countries, and that the seats on this Committee were divided evenly between immigrant and emigrant countries. A representative of the United States Government was also asked to attend in a consultative capacity. The findings of this Committee paved the way for the first decision regarding emigration passed at the Fourth Session, and will probably form the basis of future decisions regarding emigration, when the subject is dealt with at future sessions of the Conference.

Though the legal objections to the competence of the Office in relation to agricultural labour had been

silenced by the decision of the Permanent Court of International Justice the technical competence on the part of the International Labour Office to deal with these problems had often been the subject of criticism. It had been stated that only industrial organizations took part in the activities of the Office, and that no place existed for agricultural organizations. These criticisms were to a certain extent justified, and it was largely to remove their cause that a Mixed Agricultural Commission was set up in 1923.

It was at first proposed to appoint a joint committee on the lines of the Joint Maritime Commission, composed of representatives of Governments, farmers and agricultural workers. But the constituting of such a committee would have raised serious difficulties.[1] In agriculture the division into organizations of employers and workers is hardly comparable to the similar division of industry. Side by side with employers belonging to a clearly defined class, and workers who are purely wage-earners, the agricultural population in many countries also comprises small-holders, who, strictly speaking, are not wage-earners. Some small-holders, moreover, hire out their services at harvest time, whilst wage-earners often own land of their own. Further, it would hardly have been possible to exclude from the discussions of conditions of work in agriculture, the joint unions which in certain countries, like France, include small farmers and wage-earners, or even the co-operative societies which are so strongly organized in other countries.

The way out of this difficulty was met by the appointment of a mixed committee in co-operation with the International Institute of Agriculture. This Institute, since its establishment in Rome in

[1] Director's Report to the Fourth Session of the Conference, p. 250.

1905, had gathered much valuable experience and data. Amongst its members were some of the leading agricultural experts of the day. To secure a basis for this co-operation the determination of functions as between the two organizations was attempted. It was agreed, for instance, that the questions of agricultural production and credits fell more naturally within the scope of the Institute at Rome, but that questions relating to agricultural labour fell within the normal functions of the Office. It was recognized, however, that the problems of agricultural production could not be adequately dealt with apart from their relation to labour conditions and vice versa. It was decided, therefore, to pool the experience of both organizations on these questions by a constant exchange of information and the occasional meeting of a mixed committee composed of representatives of the Office and of the Institute.

The Committee is a standing committee and is composed of a Government, employers' and workers' representative from the Governing Body and three representatives of the International Agricultural Institute, presided over by the Chairman of the Governing Body. To ensure the adequate representation of outside bodies the Committee is empowered to "summon the assistance of experts who would take part in its work with full liberty of discussion." These experts are chosen jointly by the International Labour Office and the Agricultural Institute from among the best-known authorities on any particular question on which assistance is sought. This scheme avoids the enactment of rules of representation which would, in the nature of things, be too rigid to meet all occasions. The first meeting of this Committee in August 1923 was a great success. Amongst the experts who attended this meeting were such well-known authorities on agriculture as Mr. Robbins of

the National Farmers' Union; Mr. Walker, General Secretary of the National Union of Agricultural Workers; Professor Gradoni, General Secretary of the International Institute of Agriculture; and the Marquis de Voguë, President of the Society of French Agriculturists. The work of this Committee will be to further the task first undertaken at the Third Session of the Conference; the protection of agricultural labour.

The Commissions of a "joint" character have thus been of considerable assistance in lightening the task of the International Labour Office. The Joint Maritime Commission helped in 1920 to smooth down the antagonism between shipowners and seamen, which seemed likely to lead to a general strike. It found a conciliatory ground on which these two parties could co-operate in bringing about the application of the decisions of the Second Session, relating to conditions of seafaring life. The Emigration Commission brought the various elements interested in emigration to examine, under the sagacious leadership of a former Speaker of the House of Commons, the points along which international agreement was possible. The work of the Agricultural Commission has paved the way to the more active co-operation of agricultural organizations in the work of the Office.

The second type of Commission forms part of the regular machinery for the collection of information, as described in a further chapter. "Their institution within the Office has proved one of the most efficacious means of collecting and integrating information on a particular subject. The various technical sections of the Office cannot claim to be in a position to collect, in Geneva, all available knowledge of a given social problem or to follow by their own resources all the scientific work accomplished in a given sphere, but they can, and should, form a centre for the efforts of experts and

investigators in the same field." However competent the research workers of the Office may be, it is very important that their scientific work should be strengthened by the assistance of expert opinion from outside. Thus the final results of an inquiry into a particular problem cannot then be represented as being the presentation of a particular point of view of the Office, but as a registered opinion of the best expert advice available.

Take, for instance, the question of the contraction of disease through a dangerous industrial process. For any remedial action to be effective, it is necessary to conduct an exhaustive inquiry both as to the degree of harmfulness of the industrial process and also as to the best methods by which this harmfulness may be mitigated. Such inquiry may result, as in the cases of white lead and anthrax,[1] in prohibitory or protective measures, which may entail serious financial obligations on the trade affected. The measures for dealing with this problem should not be determined by a general line of sympathy, but by the facts resulting from such an inquiry. To achieve this it is most important that the scientific authority of the Office should be considered by all parties as absolutely free from partiality. This task is made much easier by the constant consultation of outside experts.

The practice is for the Conferences of Experts to be convened at Geneva from time to time, as necessity arises. "Representatives of organizations, or of industrial associations or groups bound by some common tie, may participate in such Conference, but the men who are lent by these organizations attend the Conferences solely in their capacity as experts."

It is not possible, however, always to convene

[1] Director's Report to the Fourth Session of the Conference, p. 255.

these meetings of experts at Geneva. But such experts may be regarded as "forming internationally a kind of large correspondence committee." The Office continues to consult them to a great extent by correspondence, "submitting the work of the Office to their impartial advice and criticism."

Among the committees of this type set up by the International Labour Office were the Anthrax Advisory Committee, the Advisory Committee on Industrial Hygiene, the Committee on Social Insurance, the Committee of Labour Statisticians, the Disablement Committee, and the Unemployment Commission.

The Anthrax Committee, which held its first meeting in London in December 1922, was composed of experts from twelve different countries, including the United States, and was presided over by Sir William Middlebrook, M.P. Sir Thomas Oliver was one of the principal British experts on this committee. During the course of this meeting, members of the Commission were able to inspect the anthrax disinfecting station at Liverpool—the largest establishment of its kind in the world.

Perhaps the most interesting Commission of this kind was the one dealing with the disabled. The Commission was composed of representatives of the chief ex-Service Men's organizations and of the Government departments entrusted with the care of the disabled, from the former belligerent countries. Its first meeting was largely concerned with investigating the means by which the medical experience gained by individual countries in the treatment of the disabled could be pooled for the benefit of the disabled in all countries—whether their disablement was caused by the War or by industrial accidents. The second meeting of this Commission, held in July 1923, studied the methods of finding employment for disabled men. Amongst

other things it laid down what is considered to be the essential provisions that should be included in all legislation or regulations, for the finding of employment for disabled men. The assembling of such a Committee helped to provide the Office with the best expert advice available on the question of assisting disabled workers. It also provided, in the active collaboration of the great bodies dealing with the disabled, the best means by which the task of assisting them could be made possible. It was indeed an encouraging sight to see a meeting, composed largely of men who had been maimed in fighting against one another, and who now came together to co-operate in a joint effort to relieve some of the suffering occasioned by the War.

There was also appointed an Unemployment Commission which met on various occasions in 1920. With the assistance of technical experts from various countries,[1] it put forward a series of proposals concerning the comparison of international unemployment statistics, which were submitted to the Governments in the following year. The Third Session of the International Labour Conference decided that the Office should institute a further inquiry to consider this question of unemployment, and in consequence a report thereon was presented by the Director to the Fourth Session. The report was referred by the Conference to the Commission specially constituted for the purpose, which, taking the conclusion of the report as its basis, adopted a series of resolutions bearing upon this inquiry into unemployment problems. One of the important resolutions of the Commission was that asking for the collaboration of the Office with the Economic and Financial Section of the League in the matter.

[1] Sir William Beveridge was the representative for Great Britain.

This allows of the broadening of the terms of reference, and makes possible the fullest extension of the inquiry into unemployment problems.

"Criticisms have been made on the ground that the commissions are too numerous, and anxiety has been expressed as to the expense involved in their work. It would be dangerous to be unable ever to plan work except with the assistance of a commission; and it would be inadmissible to attempt to constitute a special commission for the study of questions relating to every sphere of social life. Such institutions have been set up only for the study of questions in which it is necessary for the Office to collect precise scientific information as in the case of industrial hygiene, to co-ordinate scattered efforts, as in the case of social insurance, or to forestall the reproaches which justly or unjustly might be made of technical incompetence, as in the case of agriculture."[1]

These commissions have been the most satisfactory means of scientific co-ordination. Much use is made of the flexible system of a permanent correspondence committee of a few members, the committee only meeting for discussion when absolutely necessary. This system enables expenses to be reduced to a minimum. Further, the administrative and technical secretarial services for these commissions are performed by the permanent officials of the Office.

This summary of the working of the advisory commissions shows that at least two valuable results can be claimed by such bodies: (1) The collection of precise and reliable information and (2) the securing of contact with all interested in a definite question.

Besides the commissions, whose work has been

[1] Director's Report to the Fourth Session of the Conference, p. 255.

outlined, concerned with research and preparation of questions dealt with by Conference, there is another type of Commission, set up by the International Labour Organization; to settle points of difference relating to labour between various countries. These may be termed Commissions of Arbitration.

The Peace Treaty in Article 396 provides that the Office must "carry out the duties required of it by the provisions of Part XIII in connection with international disputes." When in particular cases arbitrators or impartial advisers have had to be nominated for the settlement of labour questions it is from the authority of the International Labour Office that the guarantee of impartiality has been sought.

One difficult problem which arose immediately after the War was the question of the transfer of social insurance funds from one country to another where a cession of territory had taken place. The reserves to these funds had been paid by workmen according to the private or state insurance fund to which they had contributed. The first occasion on which this question had to be settled was in the case of Alsace Lorraine. A committee of five members was appointed; one nominated by each Government concerned and three by the Governing Body of the International Labour Office from the nationals of other States. The three members of the Commission nominated by the Governing Body were in this case a Professor of finance at the University of Berne, the President of the Royal Insurance Commission of Stockholm and a former Italian Minister of Labour.

The work of this Commission was assisted by the officials of the International Labour Office and proved most successful. The solution adopted unanimously by the Commission was ratified by the Council of the League and endorsed by the States

concerned. A similar Commission was set up to settle the same question as between Germany and Poland, with equal success.

A Committee of a somewhat similar character was set up in connection with the Settlement of the Upper Silesian question.[1] In May 1922 the German-Polish Convention was signed at Geneva with the object of guarding against any interruption of the economic life and ensuring the protection of minorities in Upper Silesia. This Convention provided for a Labour Advisory Committee to be set up with the help of the Governing Body of the International Labour Office, to function alongside of a mixed Committee which was to supervise the execution of the various clauses of the Convention.

The Committee has only recently been appointed. It is too early to judge the degree of its success or failure in the objects it was created to achieve. Its task has certainly been made more difficult by the increased bitterness and nationalistic feeling aroused by the occupation of the Ruhr and the economic breakdown in Germany. But perhaps the chief importance of this committee—irrespective of its possible achievements—is the very fact of its existence. Like the other committees set up by the International Labour Office to settle the questions

[1] The Committee is composed of a President and ten assessors. The President and two assessors are nominated by the Governing Body for a period of three years. The Governing Body is completely free in the choice of the President, provided he is neither of German nor Polish nationality. The President appointed in this instance was Mr. Albert Thomas, Director of the International Labour Office. The two assessors nominated by the Governing Body must be German and Polish respectively, and be appointed in the nomination of the two governments interested. The other eight assessors are appointed from amongst employers and workers upon agreement between the competent German and Polish trade organizations. The Secretary must be appointed by the International Labour Office.

relating to social insurance, it has created a precedent which may reasonably be expected to play an important part in the peace settlement between belligerent countries in the future: the intervention of an impartial international organization to protect minorities and the normal economic life of the working classes.

CHAPTER VIII

AN INTERNATIONAL CENTRE OF INDUSTRIAL RESEARCH

One of the characteristics of the modern world is its ever increasing complexity. The development of the industrial system tending to make the world an economic unit has made conditions of life depend upon a growing and almost infinite number of phenomena. Their very number and intricacy makes a knowledge of them difficult to acquire. But the continual study of such phenomena is necessary if man is to retain any control over the circumstances of his existence. Otherwise with all the perfection of modern machinery and organization, his welfare will be as much at the mercy of blind chance as it was in primitive society.

It may be vital to the well being of an industry to be intimately acquainted with the conditions reigning in a similar industry in competing countries. It is important for the statesman to have at his command exact information of the various factors in other parts of the world which have a bearing upon the policy which he propounds. It may be necessary for him in drawing up such a policy to be acquainted with the manner in which the problem has been dealt with elsewhere, with a just appreciation of the different circumstances and the measure of success or failure of the solutions attempted. Let us take an instance of the latter case; the

question of unemployment, which is one of the most urgent problems which this country has to face at the present moment. How many of those who put forward proposals for dealing with this question have really considered not only the experience in dealing with this problem in their own country, but in other parts of the world? There is now in 1924 very little unemployment in the United States. Yet two years ago there was an unemployment crisis in that country as serious as that existing in England. There is the experience of countries other than the United States, which, like Great Britain, have maintained the value of their currency at something like its pre-war level; of others which have attempted to reduce the volume of unemployment by continuous inflation; of countries like France which have kept a certain degree of balance between the two extremes of inflation and deflation; of Austria where the financial reconstruction by the League of Nations is gradually bringing back normal conditions of employment. These instances are only intended to illustrate the importance which the obtaining of such information is now assuming.

The difficulty of obtaining reliable information relating to conditions in other countries is considerable. Industrial undertakings immersed in their daily problems can rarely spare any of their staff for investigations which, as it would seem, cannot bring in an immediate return. Only large industrial combines can afford to devote any serious attention to this kind of work. Individual firms are unable to bear the charges it entails. It is the same with State departments. Only a small number of officials can be spared to follow conditions outside their own country. There is a further difficulty; information of this kind, to be useful, must be exhaustive. The material is so immense that unless it is carefully sifted and irrelevant considerations put on one side, there is a danger that wrong

deductions will be drawn. Also, it is difficult for persons to appreciate the importance of events in countries other than their own unless they have made a profound study of prevailing conditions in those countries.

The difficulty of obtaining information regarding industrial problems has, however, been lessened since the setting up of the International Labour Office at its permanent headquarters in Geneva. The Treaty of Peace laid down that one of its two chief functions would be "the collection and distribution of information on all subjects relating to international conditions of industrial life and labour."[1] The objects which the International Labour Office have in view in carrying out this work are twofold; to study those industrial problems which may give rise to international agreement at some future session of the Conference; and to keep all countries supplied with information regarding industrial and labour questions of immediate importance. The Office is thus assuming the functions of a world "clearing house" of information. Even many of the hostile critics of the Organization have been forced to admit that the importance of the work which is being done in this direction is in itself a justification of its existence.

Before examining the rather complex system which the International Labour Office has adopted for dealing with these questions, it may be advisable to enumerate the various sources of information at present at its disposal.

The library of the International Labour Office is the largest library on industrial questions in the world. The nucleus of the library was formed by the purchase of the Basle Library of the International Association for Labour Legislation. The library, which was only started three years ago, comprises some 80,000 volumes, and its numbers are rapidly increasing.

[1] Article 396 on the Treaty of Versailles.

All the Government departments and important industrial organizations of the countries belonging to the Organization send their official publications to the Office as a matter of course. Similar reports from countries which are not Members of the Organization are obtained by an exchange of publications, if not by purchase. The custom is also developing for publishers all over the world to send books, relating to industrial questions, to the International Labour Office for purposes of review. The principal daily papers and periodicals from all countries are also taken. An idea of the work of classification of this material may be given by the fact that approximately 2,000 newspapers and 1,500 periodicals are received every week. The daily record of events is followed in the papers. But as the most important events recorded in the papers are examined later in periodicals (with a generally more accurate perspective), an index is kept of the principal articles in such periodicals, to supplement the index of books and pamphlets in the library. There is in addition an immense store of information daily accumulated by the various services of the Office. For purposes of reference such information is filed in the Registry.

The special features of the constitution of the International Labour Organization involved a change in many of the traditional methods of diplomatic procedure. One of the concessions which the older school of diplomacy was obliged to make to the new conditions brought about by the creation of the League was that the International Labour Office—an official organization of States—was allowed to enter into direct communication with any parties in a particular country whose assistance it required in the performance of its daily functions. The Office can thus, unless the State concerned arranges otherwise, enter into direct relations with any State Department without going through the

formality of passing its communications through the Ministry of Foreign Affairs. It is in continual touch with employers' and workers' organizations, without the interference of the State Departments. For instance, if before the War the British Ministry of Labour desired to have information regarding some questions relating to industrial conditions in Sweden, unless it was prepared to send out a special mission of inquiry, such information could only be obtained through the most cumbersome channels. It was obliged to address its request to the Foreign Office which, in turn, would forward it to the Secretary of State for Foreign Affairs in Stockholm. The request would then probably be forwarded to the Department for Social Affairs, which might supply the information required, which would then be conveyed back to England through the same channels. Obviously, if the work of the International Labour Office had been fettered by such a cumbersome method of procedure, its usefulness would have been considerably impaired. It is natural that certain difficulties would arise as the new methods of procedure of the International Labour Office are being worked out. "Clearly relations of this nature must be maintained with prudence and tact. The Office must not lay itself open to charges of intervening in the internal politics of States or of participating in the opposition of certain parties to Governments. On the other hand, the Office must, in conformity with the spirit of the Treaty of Peace, be permitted direct relations with those associations which have their place in the constitution of the Organization and of Office itself."[1] Such difficulties as have arisen are gradually disappearing with the more general understanding of the work of the Office, and the services

[1] Report of the Director to the Third Session of the Conference (1921), p. 256.

it can render. State Departments and employers' or workers' organizations are continually desiring information from the International Labour Office, which they cannot obtain elsewhere. They are therefore ready to reply to inquiries they may receive in return.

Quite apart from these general inquiries, the Office has often found it necessary to compile information on a particular subject by means of *questionnaires*. These have on several occasions been addressed to Governments, important industrial organizations, and to certain well-known authorities on a particular question. This method must, however, be used sparingly if good results are to be obtained. "Experience shows that such questionnaires must be sent out with great caution and under many reserves. The maximum amount of accuracy must be employed in drawing them up, so as not to dissipate the energies of the person to whom they are addressed, nor to overwhelm them with too great a number of questions. It is essential that such questionnaires should not be sent out too frequently, nor must they deal with questions concerning which information already exists and could be utilized. They should be as few as possible. Both public administrative bodies and professional organizations are often overwhelmed by the number of requests for information addressed to them." In the early stages of the work of the Office certain difficulties arose owing to the fact that the above considerations were not fully taken into account. But this should not prejudice a method which, if wisely used, may assist in collecting data which cannot be obtained by other means.[1]

As has been explained in a previous chapter a considerable portion of the work of the Corres-

[1] The Director's Report to the Third Session of the Conference (1921), p. 214.

pondents' Offices is devoted to assisting their headquarters in Geneva in the task of inquiry and research.[1] Such offices exist in London, Paris, Berlin, Rome, Washington and Tokio, and in addition there are certain part-time representatives of the Office in Spain, Poland, Greece, Bulgaria and Belgium.

The Office is also continually in touch with sources of information on industrial questions in countries which are not yet Members of the Organization. There has been a correspondent of the Office in the United States since 1919. Its first Conference was held in that year at Washington, and the Office is in close relations with the government departments and with the important commercial, industrial and labour organizations in that country.[2] Political considerations may still keep the United States officially outside an institution closely connected with the League of Nations. But as the most important industrial country in the world it cannot possibly keep aloof from the investigations into industrial problems which are being undertaken by the International Labour Office. The International Labour Office recently conducted an inquiry into the three-shift system in the iron and steel industry[3] to meet the great interest felt in the United States in the manner in which this question had been dealt with in other countries. Members of the Organization have likewise benefited by being supplied with information through the International Labour Office

[1] For an account of the work of the Correspondents' Office, see p. 63.

[2] The mission of the Director of the Office to the United States in December 1922 was largely concerned with organizing collaboration, in scientific research, between such bodies and the Office in Geneva.

[3] See publication entitled "The Application of the three-shift system to the Iron and Steel Industry." Studies and Reports, series "D" (wages and hours), No. 3. Geneva. 1922.

about industrial questions in the United States. In fact, the volume of communications between the Office and the United States is third in importance when compared with the volume of communications between the Office and other countries.[1] The Office is also in close touch with industrial conditions in Russia. For over two years it had a special section devoted entirely to that purpose.[2] This section has " entered into a relation with all the private missions which have been allowed to cross the Russian frontier; and these missions have supplied it with most of the documents which they have brought back from Russia. The library which has thus been formed is therefore of unique value." There is now a continual exchange of publications between the Office and the Soviet Government. Probably, outside Russia itself, the Office has the most complete collection of documentary information about conditions in that country.

The Office has also on numerous occasions sent out its officials to make a special inquiry on the spot.[3] " For instance when the British Government at the outbreak of the unemployment crisis made urgent requests for exact information with regard to a new system which had been set up at Altona in Germany, the Office asked one of its officials who happened to be in Berlin to go to Altona and collect the necessary information." In 1920, when the question of production in the Ruhr " was beginning to assume a very important place in European economy " the Office undertook an inquiry on similar lines.[4]

[1] See Appendix IV.

[2] This section has now been absorbed in the Liaison and Intelligence Division under the new organization (October 1923). See Appendix I.

[3] Director's Report Third Session of the Conference, p. 215.

[4] See " Production and Labour in the Mining Industry in the Ruhr from 1918-1920." " Condition of Labour and

During that year officials of the Office also conducted an inquiry into the question of mining conditions in Upper Silesia. More recently, an inquiry was undertaken by the International Labour Office into the working of the Compulsory Labour Act in Bulgaria. This measure was a new experiment of social policy. The only way an accurate idea of its possibilities could be viewed outside that country was for an investigation to be made by an impartial observer, of the exact scope of the measure and the manner in which it was applied.[1] As has been explained fully in the previous chapter, the whole scientific research of the Office is also greatly assisted by the work of the Advisory Commissions. These commissions are generally composed of experts or persons actually engaged in the conduct of industry, who bring a new point of view to supplement the research of the officials in Geneva.

Thus it will be seen that the Office has already large sources of information at its disposal, and fairly active channels from which further information can be obtained. There are its library, its immense documentation collected in Geneva, its relations with government departments, employers' and workers' organizations in all countries, its correspondents quartered in various parts of the world, the officials which it sends to investigate any urgent problem of importance on the spot, and its various advisory commissions. The work of organizing this clearing house of information has only reached its initial stage. Time and experience will indicate on what lines this should be developed and enlarged. But already it is possible for each country to have at its disposal, through this international centre, a constant

Production in the Upper Silesian Coalfield," December 1920, published by the International Labour Office.

[1] See "Compulsory Labour Service in Bulgaria." Studies and Reports, series "B" (Economic Conditions), No. 12. 1922.

flow of information which was unavailable in the past.

As outlined in a previous chapter the task of the International Labour Office is apportioned between its three main divisions: the Diplomatic Division which deals with official correspondence, with governments and all work connected with the Conference; the Research Division and the Liaison and Intelligence Division which both deal with the scientific work of the Office. Side by side with these two divisions is an editorial section, whose work is to make available the continual flow of the information collected. The reason that the scientific work of the Office is divided into two separate divisions is because "two entirely different mental attitudes are required."[1] The work of the Intelligence and Liaison Division is to keep in daily touch with the events and answer immediate inquiries. The essential work of the Research Division "is to attempt to secure from the international point of view, uniform statistical methods and to carry out international studies. It will be for this division to exploit the enormous but incoherent documentation available in Government publications. On it, too, will devolve the work of suggesting, after close critical study, uniform methods to be employed. It may also, in certain fields, collect and examine all the available documentary evidence, and thus verify or reject conclusions which are as yet unanswered. The ideal would be for this division to be able to concentrate entirely on what one might call pure research, without paying any attention to outside movements or to the urgent needs of those engaged in active work." Another feature which characterizes the different work of both these divisions is that specialization is by subject in the Research Division

[1] Director's Report to the Fourth Session of the Conference (1922), p. 218.

and by nationality in the Intelligence Division. The scientific work of the Office, sifting through the active co-operation of these two divisions, is thus subject to a double check, that of nationality and that of special subject.

It may perhaps be easier to understand how this system functions by first examining the machinery of each division. The Research Division is composed of a series of technical sections. The Statistical Section is devoted to working out methods of statistics which may be internationally comparable. This is a task of immense difficulty. Great care has to be taken in reply to inquiries, and in publication to indicate the degree of the reliability of one set of statistics as compared with another. "There is always a danger of the protagonists of certain opinions and certain causes making the International Labour Office an instrument for the collection and compiling of statistics to support their interest and to help them in attaining their particular ends."[1] The work of this section has been considerably facilitated by the recent setting up of a Commission of Statisticians. The section prepared reports on the system of classification of industries and on the methods of compiling statistics of wages and hours of labour in various countries. It also put forward resolutions which the members of the Commission (statistical experts from the government departments of various countries) adopted as a basis of discussion. The work of this Commission was of assistance to the Section and also to the State Departments. A meeting of this kind enables those responsible for drawing up statistics to be more easily acquainted with the statistical methods used in other countries. It also enables them, where possible, to examine on what lines they could adjust statistical methods to make them internationally comparable.

[1] Director's Report to the Third Session of the Conference, p. 236.

The Legislative Section follows the work of labour legislation in nearly all countries and publishes a translation of such legislation. It is also endeavouring to compile a dictionary of technical terms, which is an immense work in itself. There is also the Industrial Relations Section, which studies such questions as collective bargaining, and arbitration between employers and workers. The Research Division also comprises sections devoted to the study of unemployment, industrial hygiene, safety, agriculture, social insurance and disablement. As with the Statistical Section, in nearly every case there are commissions drawn outside the Office which meet from time to time and work in conjunction with these sections.[1] Thus the Research Division is divided into sections which specialize in some particular aspect of industrial problems; and which are often assisted in their work by outside commissions. According as the importance of a particular industrial problem increases or decreases technical sections are added or taken away from this division. The Liaison Division usually deals with those questions, such as vocational guidance, which have not yet a section devoted exclusively to their study.

The Intelligence and Liaison Division is divided into two main groups, one dealing with international relations, the other dealing with national relations. The group dealing with international relations comprises a section devoted to employers' organizations, another to workers' organizations, and a further one to Co-operative Societies. It is the duty of the

[1] The Unemployment Commission; in the case of industrial hygiene the Anthrax Committee; in connection with safety the numerous conferences of factory inspectors; the Joint Advisory Agricultural Committee; the newly constituted Committee on Social Insurance; the Disablement Committee. (See previous chapter for a full description of the work of these Committees.)

officers of these sections to keep in touch with these organizations in the various countries. They also generally attend its most important conferences. An official from the Employers' Organization section will probably attend the yearly meeting of Inter-Parliamentary Commercial Conference; an official from the section of relations with Workers' Organizations, the important international trades union conferences; and International Co-operative Congress will be followed in a similar manner by a member of the other section. The second group is divided into various national sections. One deals with those countries where Office has correspondents; and is responsible for the relations between Office and these correspondents. Other sections deal exclusively with Latin America, Northern Europe and Eastern Europe. "Naturally it has not been possible for the Office, by reason of the limited means at its disposal, to have attached to it representatives of all countries who are members of the Organization. But in cases where the Office staff does not include any person of the desired nationality, the task of dealing with the matter is entrusted to an officer who is a native of some country whose traditions, language and national characteristics are similar."[1]

The procedure adopted for dealing with an inquiry varies with the nature of the information required. In some cases the Intelligence Division can reply immediately upon the information at its disposal. In many cases, information is already contained in one of the various publications of Office. In other cases, the Intelligence Division would immediately consult the technical section in the Research Division for the information it required. This information would be prepared by one of its technical sections. But the reply would then be prepared by a member

[1] Director's Report to the Third Session of the Conference, p. 211.

of the Intelligence Division according to his particular knowledge of the country or the organization from which the inquiry was made, and in such a manner as to be most useful for the purpose for which it was sought. Should the technical section not have any information about some aspect of the problem, the Intelligence Division may send a note to one or more of its correspondents to obtain information at first hand. Whatever method is used, there is always a continual co-operation between the Research and the Intelligence Division. There is, apart from the personal relations of the officials, a daily conference in the Director's room, in which the various methods of collaboration on any such inquiries are fully discussed.

The information derived from the scientific research of Office, from the replies to inquiries, from the diplomatic communications which Office may receive from Governments, all go to feed the requirements of the Editorial Section. The information contained in the publications of the Office are now prepared outside of the Editorial Section, by the services especially competent on the subject in question. Articles prepared outside the Office are generally scrutinized by officials of the scientific sections of the Office, before responsibility for their publication is assumed by the Editorial Section, whose work is largely confined to editing and translating.

The volume of publications of the Office is very considerable. There are all the numerous reports connected with the Conference; the *Legislative Series*, a translation of laws and ordinances bearing upon labour conditions; a weekly *Official Bulletin* embodying official correspondence and events connected with the work of the Organization; the *Industrial and Labour Information*, a weekly record of information relating to industrial conditions; the *International Labour Review*, which

appears monthly; and numerous special reports on immediate industrial problems.

These publications include a mass of valuable information, which no student of social questions can afford to ignore. In fact it is only through these publications that it is possible to-day for any one man to follow closely social and industrial tendencies all over the world. The *International Labour Review*, for instance, makes it possible to follow in the principal Industrial countries, monthly statistics of unemployment and cost of living; the movement of emigration; the principal commercial, trades union or co-operative conferences and other news relating to industrial organizations: new labour legislation; the working of different methods of conciliation machinery; an examination of any new development of industrial policy and a review of any important book relating to social questions appearing in any part of the world. Before the creation of the Office, even if such a mass of data existed, it was in an undigested form. The most the expert could hope to achieve was to follow developments in other countries in some very limited field. The publications of the Office have done much to increase the degree of availability of information on industrial questions.

The criticism is often made that these publications are dull. It seems hardly possible that they should seem otherwise in view of the scientific matter they contain. One could hardly expect the publications of an official international organization to compete with the press for sensational popularity. It has, however, been the desire of the Office to produce at least one publication in a semi-popular form. It was with that intention that the *International Labour Review* was started in the middle of 1921. In addition to the scientific information mentioned above, it contains a series of signed articles by well-known authorities, mostly about some aspect of

social conditions in their own country. But it is doubtful whether this feature of the *Review* has done much to increase the value or popularity of this publication. With few exceptions, experience seems to show that such persons, when writing for an international journal, rarely give of their best. They prefer, and it is perhaps only human that they should do so, to bring out something original, the results of long and careful thought, in a review in their own country, where it may receive immediate national attention. What is contributed to an international review in the form of signed articles is generally a compilation of what the author has written in previous articles, rather than a new contribution.

It has been urged that very much more interesting articles could be prepared by officials of the Staff themselves. General tendencies, social experiments might be examined with a more detached point of view than is general elsewhere. They could be confined to international questions only. Such articles might help to centre opinion upon a world point of view, might assist in developing that international habit of mind, so necessary to the eventual realization of the aims for which the Office was created to achieve. But there is one disadvantage. However carefully such articles were prepared, the Office would not fail to be accused by some party, or some country, of taking sides, of being committed to a special line of policy. The impartiality of the Office in the collection of information might be questioned. And this of itself might mitigate much of the influence and usefulness of its scientific research. "As it addresses itself to a public often ill-informed but anxious for advice and information, the Office, more perhaps than any other organization, has to be constantly mindful of the need for impartial and objective statement."[1] The business of the Office is

[1] Director's Report to the Fourth Session of the Conference, p. 267.

to make the facts available and not to fix conclusions.

There are other difficulties in producing international publications. First there is the question of translation, which has been discussed at some length elsewhere. The translator must not only be able to express himself with ability, he must have a thorough knowledge of the technical questions so as to express the exact meaning of the technical terms employed. Secondly there is the question of presentation. In publications of an essentially scientific nature, read largely by the specialist, this is perhaps of no great consequence. But the question assumes considerable importance when it is desired that such data be supplied in the most readable form. To illustrate the kind of difficulty that arises the writer may be permitted to refer to an experience that occurred recently to an American newspaper owner. This person had a paper in Cuba, which was published in Spanish. As is well known, the method of presenting a " story " in the press in English-speaking countries is to put the sensational part of it in the first paragraph. This attracts the attention of the reader, who finds out the details when he gets to the end of the column. In Latin countries the opposite method is used. The American who took over the Cuban newspapers adapted the method of presenting news to what he thought was good journalism in his country. Despite more efficient management and better news the result was an immediate fall in circulation. He was obliged to revert to the method used before. This example is only meant to show how different nationalities are accustomed to different methods of presentation. Hence the difficulty of producing anything like a popular international publication translated from one text. This difficulty has been fully realized by the Office. The Director, in his report to the Fourth Session of the Conference, stated : " The ideal to be

followed in order to reach public opinion is that the Office should have in each country a publication devoted to its work and to the work of the protection of labour in general, but especially adapted to the spirit, the aspirations and the needs of prospective readers in the country in question."[1]

A successful endeavour in that direction has been made in Germany and Italy. The correspondent of the Office in Rome publishes a monthly journal embodying the chief items in the publications of the Office that he thinks will be especially interesting to Italians and in the form to which they are accustomed. Only considerations of expense prevent this method being followed in the case of many other States of the Organization. In the meantime English- and French-speaking countries are able to make far greater use of the services of the Office in this direction, because its publications are all issued in English and French and their original text is generally prepared in one or the other language.

The difficulties that prevent the publications of the Office reaching that standard of excellence aimed at, will no doubt gradually be overcome by experience. But the scientific work of the Office is faced by a much more serious difficulty: the desire in certain quarters to limit its investigations to a narrower field.

The Office, it is stated, should confine its inquiries to purely labour matters and should on no occasion extend them into the economic sphere. A serious controversy arose over this question in the case of the Inquiry into Production.[2] But clearly if that policy were pursued to its logical conclusion the scientific work of the Office would be of no serious

[1] Director's Report to the Fourth Session of the Conference, p. 265.

[2] See Introduction to the "Inquiry into Production." Part I. Geneva. 1923; Director's Report to the Third Session of the Conference; Director's Report to the Fourth Session of the Conference, pp. 233-35.

consequence. It would be limited on many occasions to a superficial examination of effect without an inquiry into cause. The Office has, however, always maintained its right to pursue its inquiries into " the extent to which labour conditions are liable to be affected by the economic situation, and the extent to which labour conditions are likely to encourage or hinder production." " Every measure for the protection of the workers raises these problems."[1] It is impossible to place a barrier between the study of labour and economic questions. The desire to do so in the case of the Office was actuated rather by political reasons than by a desire to increase the value of the task of research. The difficulties which the Office has had to face on these grounds have, however, been considerably lessened by its close collaboration with the Economic and Financial Section of the League. Questions may arise which may properly come under the purview of both the Office and the Economic Section. Well-known economists have recently put forward proposals to solve the unemployment problem by adjusting the purchasing value of currency to the volume of unemployment. In examining a solution of this nature, the Office would naturally be greatly assisted by the collaboration of the Economic Section.

One of the immediate results of the work of the Office in collecting information and statistics on labour questions has been to enable national Government offices to confine their research to the national aspect of such questions. The British Ministry of Labour by carrying out such a policy has been able to effect considerable economies. It has, for instance, by relying on the publications of the Office, been able to cease publishing a quarterly journal entitled *Labour Overseas*. The Office has also been help-

[1] Director's Report to the Third Session of the Conference, p. 1124.

ful in sending in officials to assist, by their evidence, the decisions made by parliamentary committees. In 1922 the official in charge of the Disablement Section of the Office was asked to give evidence before a Select Committee of the House of Commons on the training and unemployment of disabled or ex-service men.[1] He was able to explain from his own experience the functioning in Continental countries of the various voluntary and compulsory systems of employment of disabled men. In the following year the head of the Agricultural Section, who had been Deputy Minister of Labour in the Province of Ontario in Canada and had a varied experience of the agricultural methods in Europe, was able to supply useful information on the various methods of co-operative farming abroad, to the Agricultural [2] Tribunal of Investigation appointed in 1922 by Mr. Bonar Law. The Office may be of service to trade union organizations in this and other ways. Owing to the fact that the trade union journals in other countries are published in foreign languages, the trade unionist is often unable to follow the events relating to the union in a similar trade in other countries. Through the International Labour Office he is now able to do so. Employers' organizations are assisted in their inquiries in a similar way by the universal nature of the information at the disposal of the Office—overcoming the barriers of language and distance, which hinder national organizations from undertaking inquiries outside the boundary of their own country.

[1] House of Commons Paper 70. 1923.

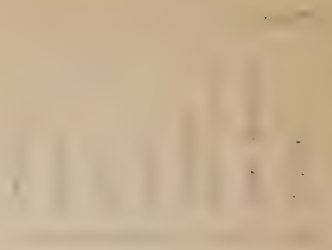
[2] "To inquire into the methods which have been adopted by other countries and the Dominions during the last fifty years to increase the prosperity of agriculture, and to secure the fullest possible use of the land for the production of food and the employment of labour at a living wage, and to advise as to the methods by which these results can be achieved in this country."

The Office, in its work of scientific research, is of continual assistance to Government departments and to those connected with the functioning of industry. But it could do more. It could form an international scholastic centre, whose influence might be gradually felt in all the great centres of learning in the world. The Library and much of the documentation of the Office could be thrown open to students. When the erection of the new building is completed, the present difficulties of space which prevent this at present will be considerably lessened. With a very small increase of staff assistance could be given to students, which would put them in touch with a mass of documentary information that was unavailable in the past. Should this policy meet with active response, voluntary effort might be obtained to form a small seminary for the students. Courses of lectures might be given by officials of the Office. A school starting from such humble beginnings might develop into a centre, to which students of social questions and officials dealing with such questions in all countries might feel compelled to go. The influence which the creation of such an institution could exert need hardly be enlarged. It would enable those who desired to remedy conditions in their own country most easily to appreciate conditions reigning in others. It might help to unite them on similar lines of research.

The work done by such an institution might in time usefully add to the scientific data of the Office and often originate new lines of investigation. It would certainly help to further the aims of the Organization. Whether the persons attending such a school were left wing socialists trying to find data for showing conclusively the defects of the capitalists system, those who desired to unmask the so-called fallacies of socialist doctrines, or others who attended as students with a perfectly open mind—in this they would all be united: a realization of the difficulties that lie in the way of lasting social reconstruction,

and the necessity of the unity of peoples to achieve it.

The Office has frequently been urged to undertake propaganda to make its aims more widely known and supported. As an official organization it is debarred from such action. But the contribution to knowledge which the Office is achieving in the field of research is perhaps more lasting in its influence and power of persuasion than striking headlines or the force of oratory.



APPENDIX II

THE ALLOCATION OF EXPENSES OF THE LEAGUE OF NATIONS AND OF THE INTERNATIONAL LABOUR ORGANIZATION

[*The total League Budget for* 1924 = 23,233,635 *gold francs or* $4,483,000. *The share of the International Labour Office is approximately* 30½ *per cent. of this total.*]

Country.	1921 Percentage.	1922 Percentage.	1923 Percentage.	1924 Percentage.
Abyssinia	—	—	—	.214
Albania	.20	.19	.106	.107
Argentine	.98	—	—	—
Austria	.98	.97	.106	.107
Belgium	2.94	2.91	1.589	1.609
Bolivia	—	—	—	.536
Brazil	2.94	2.91	3.708	3.756
British Empire				
Australia	4.90	4.84	2.754	2.789
Canada	4.90	4.84	3.708	3.756
Great Britain	4.90	4.84	10.064	9.442
India	4.90	4.84	6.886	6.975
New Zealand	.59	.58	1.059	1.073
South Africa	4.90	4.84	1.589	1.609
Ireland	—	—	—	1.073
Bulgaria	.98	.97	.742	.752
Chili	.98	.97	1.589	1.609
China	4.90	4.84	6.886	6.975
Colombia	.98	.97	.742	.752
Costa Rica	.59	.58	.106	.107
Cuba	.59	.58	.953	.966
Czecho-Slovakia	2.94	2.91	3.708	3.756
Denmark	1.96	1.94	1.271	1.287
Esthonia	—	.58	.317	.321

Country.	1921 Percentage.	1922 Percentage.	1923 Percentage.	1924 Percentage.
Germany[1]	4.90	—	—	—
Finland	1.96	1.94	1.060	1.073
France	4.90	4.84	8.262	8.369
Greece	.98	.97	1.059	.966
Guatemala	.59	.58	.106	.107
Haiti	.59	.58	.212	.214
Honduras	.59	.58	.106	.107
Hungary	—	—	.424	.321
Italy	4.90	4.84	6.461	6.546
Japan	4.90	4.84	7.733	6.546
Latvia	—	.97	.317	.321
Liberia	.20	.19	.106	.107
Lithuania	—	.58	.424	.429
Luxembourg	.59	.58	.106	.107
Netherlands	2.94	2.91	2.199	2.147
Nicaragua	.59	.58	.106	.107
Norway	1.96	1.94	1.165	1.181
Panama	.59	.58	.106	.107
Paraguay	.59	.58	.106	.107
Persia	.59	.58	.636	.643
Peru	.98	.97	1.059	1.073
Poland	4.90	4.84	2.648	2.683
Portugal	1.96	1.94	1.059	.966
Roumania	2.94	2.91	3.284	3.111
Salvador	.59	.58	.106	.107
Serbs, Croats and Slovenes	1.96	1.94	2.754	2.789
Siam	.59	.58	1.059	1.073
Spain	3.92	3.88	4.327	4.293
Sweden	2.94	2.91	1.907	1.932
Switzerland	2.94	2.91	1.589	1.609
Uruguay	.59	.58	.742	.752
Venezuela	.59	.58	.530	.536

[1] Germany is not yet a member of the League of Nations, but was made a full Member of its International Labour Organization in 1919. Up till the catastrophic collapse of the mark she had paid a contribution equal to a first-class power.

APPENDIX III

STAFF OF THE INTERNATIONAL LABOUR OFFICE BY NATIONALITIES

	Total Staff				Executive Staff Includes officials ranking from Asst. Member of Section upwards. Salaries ranging from approx. £400 a year.	
	1920	1921	1922	1923 (Jan.)	1923 (Oct.) Total.	Appointed as a result of competitive examination.[1]
American	2	2	2	3	3	—
Australian	—	—	1	1	1	—
Austrian	—	—	4	4	4	—
Belgian	2	5	5	5	5	—
Brazilian	—	—	1	1	1	—
British	32	70	86	91	63	23
Canadian	1	2	2	4	3	—
Chilian	—	—	—	1	1	—
Czecho-Slovak	—	1	2	2	1	—
Danish	—	1	1	1	1	—
Dutch	—	3	3	3	2	—
Finnish	—	—	—	1	1	—
French	20	51	86	92	52	16
German	—	3	8	9	5	—
Hungarian	—	—	2	2	1	—
Irish	1	1	1	1	1	—
Italian	3	8	9	11	5	3
Japanese	—	1	1	1	1	—
Lithuanian	1	1	1	1	1	—
New Zealander	—	—	1	1	—	—
Norwegian	—	—	1	2	1	—
Polish	—	2	5	5	2	1
Roumanian	—	—	—	1	1	—
Russian	—	6	7	9	2	—
Serbian	—	—	—	1	1	1
Spanish	—	3	3	3	3	—
Swedish	—	1	2	2	1	—
Swiss	3	80	83	97	16	7
No Nationality[2]	—	—	—	—	1	—
Totals	65	241	317	355	180	51

[1] These figures *exclude* those officials who, for instance, as former British Civil Servants have passed competitive administrative examinations at least equal to the standard of examination laid down by the Office.

[2] There are many persons who, owing to the complicated territorial changes resulting from the Peace Treaties, have found themselves obliged to renounce one nationality without taking on another.

APPENDIX IV

STATISTICS OF MAIL RECEIVED BY THE INTERNATIONAL LABOUR OFFICE FOR THE THIRD QUARTER OF 1923

BY COUNTRIES

Great Britain	671	*Brought forward*	4249
Switzerland [1]	599	Esthonia	10
France	438	Mexico	9
United States of America	396	New Zealand	9
Germany	353	Cuba	7
Italy	348	Brazil	7
Belgium	206	Venezuela	5
Holland	162	Chili	5
Spain	129	Palestine	4
Poland	117	Dutch East Indies	4
Austria	89	Honduras	4
Czecho-Slovakia	77	Uruguay	4
India	71	Greece	4
Canada	66	Guatemala	4
Norway	55	Dantzig	3
Japan	54	San Salvador	3
Hungary	47	Ecuador	3
Sweden	42	Colombia	3
Roumania	39	Albania	3
Denmark	36	Sarre	2
Australia	33	Turkey	2
Serbia	32	Portugal	2
Argentine	25	Haiti	2
Russia	23	Panama	2
Bulgaria	23	Paraguay	2
Ireland	22	Persia	1
Finland	21	Peru	1
Latvia	19	Iceland	1
China	18	Lithuania	1
South Africa	14	Algeria	1
Luxemburg	13	Egypt	1
Siam	11		
			4,358
Carried forward	4249		

[1] The bulk of these letters refer to the internal management of the Office. The place of Switzerland would otherwise be much further down the list.

BY LANGUAGE

French	1865	*Brought forward*	4321
English	1593	Serbian	8
German	568	Danish	7
Spanish	108	Russian	5
Italian	74	Portuguese	4
Dutch	53	Finland	3
Esperanto	18	Hungarian	2
Norwegian	12	Bulgarian	1
Swedish	11	Ido	1
Tcheque	11	Poland	1
Roumanian	8		4,353
Carried forward	4321		

APPENDIX V

PART XIII (LABOUR) OF THE TREATY OF VERSAILLES OF 28TH JUNE 1919 [1]

SECTION I

ORGANIZATION OF LABOUR

Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required; as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The HIGH CONTRACTING PARTIES, moved by sentiments

[1] The provisions of Part XIII of the Treaty of Versailles are reproduced in full in Part XIII of the Treaty of Saint-Germain of 10 September 1919 (Articles 332-372), Part XIII of the Treaty of Trianon of 4 June 1920 (Articles 315-355) and Part XII of the Treaty of Neuilly of 27 November 1919 (Articles 249-289).

of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following :

CHAPTER I

ORGANIZATION

Article 387

A permanent organization is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organization, and hereafter membership of the League of Nations shall carry with it membership of the said organization.

Article 388

The permanent organization shall consist of :

1. A General Conference of Representatives of the Members and

2. An International Labour Office controlled by the Government Body described in Article 393.

Article 389

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 390

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 389 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 391

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 392

The International Labour Office shall be established at the seat of the League of Nations as part of the organization of the League.

ARTICLE 393[1]

The International Labour Office shall be under the con-

[1] At its Nineteenth Sitting held on 2 November 1922 the Fourth Session of the International Labour Conference adopted by eighty-two votes to two, with six abstentions, the following draft amendment to Article 393, which is at

trol of a Governing Body consisting of twenty-four persons, appointed in accordance with the following provisions :

The Governing Body of the International Labour Office shall be constituted as follows :

Twelve persons representing the Governments;
Six persons elected by the Delegates to the Conference representing the employers;
Six persons elected by the Delegates to the Conference representing the workers.

Of the twelve persons representing the Governments eight

---

present before the States Members of the International Labour Organization, in accordance with the provisions of Article 422 of the Treaty of Versailles.

" The International Labour Office shall be under the control of a Governing Body consisting of thirty-two persons :

Sixteen representing Governments,
Eight representing the Employers, and
Eight representing the Workers.

" Of the sixteen persons representing Governments, eight shall be appointed by the Members of chief industrial importance, and eight shall be appointed by the Members selected for that purpose by the Government Delegates to the Conference excluding the Delegates of the eight Members mentioned above. Of the sixteen Members represented six shall be non-European States.

" Any question as to which are the Members of chief industrial importance shall be decided by the Council of the League of Nations.

" The persons representing the Employers and the persons representing the Workers shall be elected respectively by the Employers' Delegates and the Workers' Delegates to the Conference. Two Employers' representatives and two Workers' representatives shall belong to non-European States.

" The period of office of the Governing Body shall be three years.

" The method of filling vacancies and of appointing substitutes and other similar questions may be decided by the Governing Body subject to the approval of the Conference.

" The Governing Body shall, from time to time, elect one of its number to act as its Chairman, shall regulate its own procedure, and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least twelve of the representatives on the Governing Body."

shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government Delegates of the Conference, excluding the Delegates of the eight Members mentioned above.

Any question as to which are the Members of the chief industrial importance shall be decided by the Council of the League of Nations.

The period of office of the Members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its Members to act as its Chairman, shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least ten Members of the Governing Body.

ARTICLE 394

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 395

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 396

The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the Agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 397

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 398

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 399

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Government Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPTER II

PROCEDURE

ARTICLE 400

The Agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the Agenda that may be made by the Government of any of the Members or by any representative organization recognized for the purpose of Article 389.

ARTICLE 401

The Director shall act as the Secretary of the Conference, and shall transmit the Agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 402

Any of the Governments of the Members may formally object to the inclusion of any item or items in the Agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organization.

Items to which such objection has been made shall not, however, be excluded from the Agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the Agenda for the following meeting.

ARTICLE 403

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 404

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 405

When the Conference has decided on the adoption of proposals with regard to an item in the Agenda, it will rest with the Conference to determine whether these proposals should take the form : (*a*) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (*b*) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organization, or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it

obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this Article with respect to recommendations shall apply in such case.

The above Article shall be interpreted in accordance with the following principle :

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

Article 406

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

Article 407

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organization to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

Article 408

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in

such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 409

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Governnent against which it is made, and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 410

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 411

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the effective observance of any convention which both have ratified in accordance with the foregoing Articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Inquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 409.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Inquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 410 or 411 is being considered by the Governing Body, the Government

in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 412

The Commission of inquiry shall be constituted in accordance with the following provisions :

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the members of the Commission of Inquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Inquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 413

The Members agree that, in the event of the reference of a complaint to a Commission of Inquiry under Article 411, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 414

When the Commission of Inquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which

should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

ARTICLE 415

The Secretary-General of the League of Nations shall communicate the report of the Commission of Inquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 416

In the event of any Member failing to take the action required by Article 405, with regard to a recommendation or draft convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 417

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 415 or Article 416 shall be final.

ARTICLE 418

The Permanent Court of International Justice may affirm, vary or reverse any of the findings or recommendations of the Commission of Inquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 419

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Inquiry, or in the

decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 420

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Inquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Inquiry to verify its contention. In this case the provisions of Articles 412, 413, 414, 415, 417 and 418 shall apply, and if the report of the Commission of Inquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

CHAPTER III

GENERAL

ARTICLE 421

The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates and possessions which are not fully self-governing:

(1) Except where owing to the local conditions the convention is inapplicable, or

(2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 422

Amendments to this Part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose

the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 423

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any of any subsequent convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

CHAPTER IV

TRANSITORY PROVISIONS

ARTICLE 424

The first meeting of the Conference shall take place in October 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organization of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 425

Until the League of Nations has been constituted all communications which under the provisions of the foregoing Articles should be addressed to the Secretary-General of the League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 426

Pending the creation of a Permanent Court of International Justice, disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

SECTION II

GENERAL PRINCIPLES

ARTICLE 427

The High Contracting Parties, recognizing that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I, and associated with that of the League of Nations.

They recognize that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance :

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are Members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

APPENDIX VI

STANDING ORDERS OF THE INTERNATIONAL LABOUR OFFICE

Adopted at Washington on 21st November 1919, during the first Session of the Conference and amended at Geneva on 3rd November 1922, during the Fourth Session.

ARTICLE 1

Composition of the Conference

1. The Conference consists of all the Delegates duly appointed by the Members of the International Labour Organization.
2. Each Delegate may be accompanied by advisers who shall not exceed two in number for each item on the Agenda of the meeting.
3. Seats in the Conference room shall be assigned to the Delegates and their advisers by the Governing Body.

ARTICLE 2

Provisional Officers of the Conference

The Conference shall be opened by the Chairman of the Governing Body of the International Labour Office, assisted by the other Officers of the Governing Body. These provisional officers shall continue to act until the President of the Conference has assumed his office.

ARTICLE 3

Verification of Credentials

1. The credentials of Delegates and their advisers shall be deposited with the International Labour Office at least fifteen days before the date fixed for the opening of the Session of the Conference.
2. A brief report upon these credentials, drawn up by the Chairman of the Governing Body, shall, with the credentials, be open to inspection by the Delegates on the day before the opening of the Session of the Conference.

This report shall be published as an appendix to the record of the first sitting.

3. Any objections raised concerning the nomination of Delegates or advisers shall be lodged with the provisional officers of the Conference during the opening sitting and transmitted by them to the Committee charged with the verification of credentials, provided for by Article 7c.

4. Pending final decision of the question of his admission, any Delegate or adviser to whose nomination objection has been taken shall have the same rights as other Delegates and advisers.

Article 4

Officers of the Conference

1. The Officers of the Conference shall be a President and three Vice-Presidents, who shall be of different nationalities. They shall be elected by the Conference. Women may be elected to any of these offices.

2. The Government, Employers' and Workers' Groups shall each nominate one of their number as Vice-President subject to the approval of the Conference.

3. The order in which these nominations shall be made shall vary at each Session of the Conference. The Groups shall have priority of nomination in the following rotation: Government Group, Employers' Group, Workers' Group, beginning with the Group indicated by lot at the Fifth Session of the Conference.

4. If a Group nominates a Vice-President of the same nationality as the Vice-President nominated by a Group possessing priority of nomination, such nomination shall be void.

Article 5

Secretariat

1. The secretarial work of the Conference shall be carried out by officials of the International Labour Office appointed for the purpose by the Governing Body of the said Office.

2. The Director of the International Labour Office shall be the Secretary-General of the Conference, and shall be responsible for the Secretariat. He may be assisted by one or more Assistant-Secretaries-General appointed by the Governing Body of the International Labour Office.

3. The Secretariat of the Conference shall be responsible *inter alia* for the receiving, printing, circulation and translation of documents, reports and resolutions; the transla-

tion of speeches at the sittings; the taking of shorthand notes, the printing and distribution of the reports of the proceedings; the custody of the records of the Conference; the publication of the final records of the Sessions, and, generally, for all other work which the Conference may think fit to entrust to it.

Article 6

Procedure

The procedure of the Conference shall be as follows:

1. If an objection has been lodged against any item on the Agenda by the Government of any of the Members, the Conference, after hearing the report presented by the Governing Body thereon, shall, in accordance with Article 402 of the Treaty of Versailles, decide whether such item is to be retained on the Agenda or not.

2. The Conference shall elect a Committee of Selection as provided in Article 7B.

3. During the Session and on the date fixed by the Committee of Selection, the Conference shall discuss the report submitted by the Director of the International Labour Office on the steps taken to give effect to the decisions of previous Sessions and the results achieved.

4. The Conference shall decide whether it will take as the basis of its discussion on any item of the Agenda the suggested draft conventions or recommendations prepared by the International Labour Office, and shall decide whether such draft conventions or recommendations shall be considered in full Conference or referred to a Committee for report. These decisions may be preceded by a debate in full Conference on the general principles of the suggested draft convention or recommendation.

5. If the draft convention or recommendation is considered in full Conference each clause shall be placed before the Conference for adoption. During the debate and until all the clauses have been disposed of, no motion other than a motion to amend a clause of such draft convention or recommendation, or a motion as to procedure, shall be considered by the Conference.

6. If the draft convention or recommendation be referred to a Committee, the Conference shall, after receiving the report of the Committee, proceed to discuss the draft convention or recommendation in accordance with the rules laid down in paragraph 5. This discussion shall not take place before the day following that on which copies of the report have been circulated to the Delegates.

7. During the discussion of the articles of a draft convention or recommendation, the Conference may refer one or more articles to a Committee.

8. If a draft convention contained in the report of a Committee is rejected by the Conference, any Delegate may ask the Conference to decide forthwith whether the draft convention shall be referred back to the Committee to consider the transformation of the draft convention into a recommendation. If the Conference decides to refer the matter back, the report of the Committee shall be submitted to the approval of the Conference before the end of the Session.

9. The provisions of a draft convention or recommendation as adopted by the Conference shall be referred to the Drafting Committee provided for in Article 7, for the preparation of a final text. This text shall be circulated to the Delegates.

10. No amendment shall be allowed to this text, but notwithstanding this provision the President, after consultation with the three Vice-Presidents, may submit to the Conference amendments which have been handed to the Secretariat the day after the circulation of the text as revised by the Drafting Committee.

11. On receipt of the text prepared by the Drafting Committee and after discussion of the amendments, if any, submitted in accordance with the preceding paragraph, the Conference shall proceed to take a final vote on the adoption of the draft convention or recommendation in accordance with Article 405 of the Treaty of Versailles.

12. If a draft convention on a final vote fails to obtain the necessary two-thirds majority, but obtains a simple majority, the Conference shall decide forthwith whether the draft convention shall be referred to the Drafting Committee to be drafted in the form of a recommendation. If the Conference approves the reference to the Drafting Committee, the proposals contained in the draft convention shall be submitted for the approval of the Conference in the form of a recommendation before the end of the Session.

Article 7

Committees

(*a*) Provisions Applicable to all Committees.

1. In accordance with Article 403 of the Treaty of Versailles, the Conference may set up Committees for any purpose which it considers desirable.

2. Every Committee shall appoint a Chairman, and one or more reporters to present the result of its deliberations to the Conference. Advisers may be appointed as reporters.

3. Subject to the approval of their Group, Delegates may appoint substitutes to represent them on Committees. In cases where the Group has appointed the States and not the persons by name to represent it on a Committee, a Delegate may at any time appoint as his substitute one of his advisers.

4. An official of the Secretariat of the Conference shall be appointed to act as Secretary to each Committee. He will be required to undertake such duties as may be decided upon by the Committee or the Chairman.

5. As a general rule the sittings of the Committees shall not take place at the same time as a plenary sitting of the Conference.

(*b*) COMMITTEE OF SELECTION.

1. As provided in Article 6, the Conference shall, as soon as constituted, appoint a Committee of Selection nominated by the Groups and consisting of twelve members of the Government Group, six members of the Employers' Group, and six members of the Workers' Group. In none of these categories shall a country have more than one member.

2. The principal task of this Committee shall be to determine the order of work of the Conference, having regard to its decisions; it shall fix the date of the plenary sittings and the Agenda of each sitting, and shall decide what resolutions are to be discussed by the Conference at each sitting.

3. It shall also determine, as hereinafter provided in this Article, the constitution of the other Committees.

(*c*) CREDENTIALS COMMITTEE.

1. The Conference shall elect a Committee to verify the credentials of Delegates and advisers. This Committee shall consist of a Government Delegate, an Employers' Delegate and a Workers' Delegate, whose names shall be proposed to the Conference by the Committee of Selection.

2. This Committee shall examine such cases as may be mentioned in the report of the Chairman of the Governing Body provided for in Article 3, or in individual protests, and shall forthwith present a report.

(*d*) DRAFTING COMMITTEE.

1. The Committee of Selection shall appoint a Drafting

Committee consisting of at least three persons, who need not be either Delegates or advisers.

2. This Committee shall draw up in the form of draft conventions or recommendations the decisions adopted by the Conference. It shall ensure agreement between the French and English texts of any draft conventions or recommendations, the translation of which is undertaken by the Secretariat.

(*e*) Other Committees.

1. When it has been decided to set up any Committee other than those specified in (*c*) and (*d*) the Committee of Selection, having fixed the number of persons of which such Committee shall be composed, shall ask each group to furnish a list setting out in order of preference a larger number of names than there are places allotted to the group on the Committee in question.

2. The Committee of Selection shall examine the lists furnished by the three Groups and, if it appears desirable that any adjustment should be made in the composition of the Committee so as to secure representation more adequate for the subject with which the Committee will deal or more satisfactory as regards the allocation of seats to the various nationalities, shall endeavour to secure such adjustment, subject to the approval of the representatives of the groups who are present.

Article 8

Right of Admission to Sittings of the Conference

1. The sittings of the Conference shall be public except in cases where it has been expressly decided to the contrary.

2. At public sittings arrangements shall be made by the Secretariat of the Conference for the accommodation of distinguished strangers and the press.

3. Apart from delegates and advisers the only persons permitted to enter the body of the hall shall be :

(*a*) One secretary or interpreter for each Delegation;
(*b*) Representatives on the Governing Body who are not delegates or advisers at the Conference;
(*c*) The Director of the International Labour Office and the officials of the Secretariat of the Conference.

Article 9

Duties of the President

1. The President shall declare the opening and close of the sittings. Before proceeding to the Agenda, he shall bring before the Conference any communications which may concern it.

2. He shall direct the debates, maintain order, ensure the observance of the Standing Orders by such means as circumstances may demand, accord or withdraw the right to address the Conference, put questions to the vote and announce the result of the vote.

3. The President shall not take part in the debates and shall not vote. If he is himself a Delegate he may appoint a substitute in accordance with the provisions of Article 18.

4. In the absence of the President during a sitting or any part thereof one of the Vice-Presidents, taken in rotation, shall preside.

5. A Vice-President acting as President shall have the same rights and duties as the President.

Article 10

Right to Address the Conference

1. No Delegate shall address the Conference without having asked and obtained permission of the President.

2. Speakers shall be called upon in the order in which they have signified their desire to speak.

3. No Delegate shall speak more than once upon the same motion, resolution or amendment, without the special permission of the Conference, provided that the mover of a motion, resolution or amendment shall have the right to speak twice unless the closure has been adopted in accordance with Article 14.

4. The President may require a speaker to resume his seat if his remarks are not relevant to the subject under discussion.

5. A Delegate may at any time rise to a point of order, which shall be decided forthwith by the President.

6. Except with the special consent of the Conference no speech shall exceed fifteen minutes exclusive of the time for translation.

7. Interruptions and audible conversations are not permitted.

8. Members of the Governing Body who are not Delegates or advisers at the Conference, and the Director of the Inter-

national Labour Office or his representative may address the Conference if invited to do so by the President.

Article 11

Languages

1. The French and English languages shall be the official languages of the Conference.

2. Speeches in French shall be summarized in English and vice versa by an interpreter belonging to the Secretariat of the Conference.

3. A Delegate may speak in his own language, but his Delegation must provide for a summarized translation of his speech into one of the two official languages by an interpreter attached to the Delegation. This summarized translation shall then be rendered in the other official language by an interpreter belonging to the Secretariat.

4. The translation and circulation of documents shall be in the hands of the Secretariat, and the practice adopted at the Washington Conference as regards translation and distribution of documents in the Spanish language shall be continued.

Article 12

Motions, Resolutions and Amendments

1. Any Delegate may move motions, resolutions or amendments, in accordance with the following rules.

2. No resolution relating to an item on the Agenda shall be moved at any sitting of the Conference unless a copy has been handed in to the Secretariat of the Conference at least two days previously. Any resolution thus handed in shall be circulated by the Secretariat not later than the day following that on which it was received.

3. Amendments to a resolution may be moved without previous notice provided always that a copy of the text of any amendment shall be handed in to the Secretariat of the Conference before such amendment is moved. If an amendment to a resolution has been moved no amendment other than an amendment to the original amendment shall be moved until the original amendment has been disposed of. Amendments shall be voted on before the resolution to which they refer.

4. A Delegate may withdraw an amendment which he

has moved unless an amendment to it is under discussion or has been adopted.

5. In the case of motions as to procedure, no previous notice need be given, nor need a copy be handed in to the Secretariat of the Conference. Motions as to procedure include the following: a motion to refer the matter back; a motion to postpone consideration of the question; a motion to adjourn the sitting; a motion to adjourn a debate on a particular question; a motion that the Conference proceed with the next item on the Agenda for the sitting.

6. No motion, resolution or amendment shall be discussed unless and until it has been seconded.

7. Except as hereinafter provided, no resolution other than those relating to items on the Agenda shall be moved at any sitting of the Conference unless a copy has been deposited with the Director of the International Labour Office at least seven days before the date fixed for the opening of the Session of the Conference. Any resolution so deposited shall be distributed to the Delegates by the International Labour Office not later than the date fixed for the opening of the Session of the Conference.

8. Notwithstanding the above provisions, the President may, with the approval of the other officers of the Conference and after twenty-four hours' notice has been given of his intention, submit to the Conference any resolution relating either to urgent matters or to matters of an entirely formal nature.

Article 13

Proposals Involving Expenditure

Any motion or resolution involving expenditure shall in the first instance be referred to the Governing Body, which, after consultation of its Finance Committee, shall communicate its opinion to the Conference. This communication shall be circulated to the Delegates at least twenty-four hours before the motion or resolution is discussed by the Conference.

Article 14

Closure

1. Any Delegate may move the closure of the discussion either on a particular resolution or amendment or on the general question.

2. The President shall put a motion for the closure of the discussion if it is supported by at least thirty Delegates. Before putting it to the vote, however, he shall read out

the names of those Delegates who had signified their wish to speak before the closure had been moved.

3. The President shall grant any Group which has not yet taken part in the discussion an opportunity if it so desires to have its opinion on the subject under discussion expressed by a speaker appointed by it.

4. If application is made for permission to speak against the closure, it shall be accorded subject to the condition that no speaker shall be allowed to speak for more than five minutes.

Article 15

Voting

1. The Conference shall vote by a show of hands or by a record vote.

2. Voting shall be by a show of hands except as hereinafter provided.

3. Votes by a show of hands shall be counted by the Secretariat and the result announced by the President.

4. In case of doubt as to the result, the President may cause a record vote to be taken.

5. A record vote shall be taken in all cases in which a majority of two-thirds of the votes is required by Part XIII of the Treaty of Versailles.

6. A record vote may also be taken on any question if a request to that effect has been made in writing by not less than twenty Delegates and handed in to the President.

7. Record votes shall be taken by calling upon each individual Delegate, each Delegation voting in turn in the French alphabetical order of the names of the Members of the International Labour Organization.

8. The vote shall be recorded by the Secretariat and announced by the President.

9. The names of the Delegates voting in a record vote shall be inserted in the verbatim report of the sitting.

10. Except as provided in paragraph 4 of this Article, it shall not be within the competence of the President to cause a record vote to be taken.

Article 16

Quorum

In accordance with Article 403 of the Treaty of Versailles a vote is not valid if the number of votes cast for and against is less than half the number of Delegates officially inscribed for the Session of the Conference and having the

right to vote (Article 390, paragraph 2). This number shall be determined after the presentation of the brief report referred to in paragraph 2 of Article 3. If any Delegate is not finally admitted the number constituting the quorum shall be modified accordingly for the subsequent sitting.

Article 17

Majority

In order to determine the majorities by record vote all votes cast, for and against, shall be counted, so that in order to be adopted, it is necessary that the proposal submitted to the Conference obtain, as the case may be, more than half, or two-thirds of the votes cast.

Article 18

Substitutes

1. In accordance with Article 389 of the Treaty of Versailles a Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his substitute. Such notice must be addressed to the President before the sitting, unless a new question comes up for discussion in the course of the sitting. The notice shall specify the sitting or sittings at which the substitute will act.

2. Substitutes may take part in the debates and may vote under the same conditions as Delegates.

Article 19

Verbatim Reports

1. A verbatim report shall be printed at the conclusion of each sitting by the Secretariat. There shall be included in the report the list of Delegates present at the sitting, together with any texts adopted and the results of any votes taken.

2. Before the report is printed in its final form, any Delegate may demand the right to revise any part of the report containing a speech which he has made. Speeches or parts of speeches that have not been delivered during the sitting shall not be published in the report.

3. In order that any proposed corrections may be inserted, they should be handed in to the Secretariat during the evening following the sitting.

4. The verbatim reports shall be signed by the President of the Conference and the Secretary-General.

Article 20

Election of the Governing Body of the International Labour Office

1. The Conference shall proceed every three years in the course of its Session to elect the Governing Body of the International Labour Office in accordance with Article 393 of the Treaty of Versailles.

2. For this purpose, the Government Delegates of all the Members, excepting those of the eight Members of chief industrial importance within the meaning of the said Article, shall meet in order to select the four Members whose Governments shall nominate representatives to the Governing Body.

3. The Delegates of the Employers and of the Workers shall meet separately in order to elect their six representatives to the Governing Body. These representatives shall be elected by name.

4. If a vacancy in the Governing Body occurs among the Employers' or Workers' representatives, and if the Governing Body has not, in accordance with Article 393 of the Treaty of Versailles, provided for the method of filling such vacancies, the Delegates at the Conference belonging to the category concerned shall assemble during the course of the ensuing Session in order to fill the vacancy.

5. If the Governing Body has, in accordance with Article 393 of the Treaty of Versailles, provided for the filling of vacancies, the decisions taken by the Governing Body in this respect shall be submitted to the Conference for its approval or otherwise.

6. If the decisions of the Governing Body are not approved by the Conference, a new election shall be held in accordance with the provisions of paragraphs 2 and 3 hereof.

Article 21

Standing Orders for the Groups

1. Each Group shall hold official meetings in order to transact the following business :

(*a*) The nomination of a Vice-President (Article 4).

(*b*) The nomination of Members for the Committee of Selection (Article 7B).
(*c*) The nomination of Members for other Committees (Article 7E).
(*d*) Elections for the Governing Body (Article 20).
(*e*) Any other matters referred to Groups by the Committee of Selection or by the Conference.

2. The first of these official meetings shall be held as soon as possible after the Conference meets. At this first meeting a representative of the Secretariat shall be present, if the Group so desires, to inform the Group as to procedure, and the Group shall elect a Chairman, a Vice-Chairman and a Secretary.

3. The Secretary of each Group shall report forthwith to the officers of the Conference the results of all official meetings.

4. The Group may at any time hold non-official meetings for discussion or for the transaction of non-official business.

5. At official meetings only Delegates shall vote, provided always that a Delegate may, by notice in writing to the President, appoint one of his advisers to act as his substitute, if he himself is unable to be present, in accordance with the provisions of Article 18 for the meetings of the Conference.

ARTICLE 22

Procedure of Voting at Elections

1. The President of the Conference or a person nominated by him shall direct the actual procedure of voting in elections required for the appointment of Committees, of the Governing Body or of the Vice-Presidents of the Conference; he shall convoke in due time the Delegates who have a right to vote, shall see that the votes are regularly counted and shall communicate to the Conference the results of the election.

2. At least twenty-four hours' notice shall be given of meetings for the election of representatives to the Governing Body.

APPENDIX VIII

SHOWING ACTION TAKEN WITH REGARD TO RECOMMENDATIONS (JAN. 1, 1924)

FIRST SESSION. WASHINGTON, 1919

Abridged Title of Recommendation.	MEASURES TAKEN.					
	(A) Acts, etc.	(B) Bills, etc. introduced.	(C) Bills, etc., drafted or in preparation.	(D) Approval authorized.	(E) Approval recommended.	(F)[1] Notification that Recommendation is already applied.
1 Unemployment	Belgium Czecho-Slovakia Denmark France (§I) Germany Italy (§I) Norway Poland (§§I and II) Spain (§II) Sweden	Belgium Chili Czechoslovakia France Germany Poland (§I)	Luxemburg Netherlands Poland (§I) Switzerland (§I)	Bulgaria Finland Roumania	Germany	Austria Finland Italy
2 Reciprocity of Treatment of Foreign Workers.	Argentine Austria Belgium Brazil Czecho-Slovakia Denmark France Italy Luxemburg Netherlands			Bulgaria Finland Roumania	Germany	Bulgaria Chili Denmark France India Italy Japan Luxemburg Poland Roumania

	Poland Sweden Switzerland					Spain Sweden
3 Anthrax	India Netherlands		Netherlands	Bulgaria Finland Roumania	Germany	Poland
4 Lead Poisoning	Austria Germany Great Britain India Netherlands Poland Switzerland	Brazil Chili Portugal	Austria	Bulgaria Roumania	Germany	Japan
5 Government Health Services.	Austria Poland	Chili Poland		Bulgaria Finland Roumania	Germany	Austria Belgium Bulgaria Denmark Finland Germany Great Britain Italy Netherlands Norway Roumania South Africa Sweden Switzerland

[1] This column shows the countries which have officially intimated that their legislation applied the provisions of the Recommendations prior to the Washington Conference.

APPENDIX VIII—*continued*

SECOND SESSION. GENOA, 1920

Abridged Title of Recommendation.	MEASURES TAKEN					
	(A) Acts, etc.	(B) Bills, etc., introduced.	(C) Bills, etc., drafted or in preparation.	(D) Approval authorized.	(E) Approval recommended.	(F)[1] Notification that Recommendation is already applied.
1 Hours of Work (Fishing)		Chili	South Africa	Bulgaria	Denmark	Czecho-Slovakia France
2 Inland Navigation		Chili	Poland	Bulgaria	Denmark	Czecho-Slovakia
3 National Seamen's Code	Denmark Norway Sweden	Finland France	Argentine Italy Poland South Africa	Bulgaria	Germany	Denmark Germany Japan
4 Unemployment Insurance	Germany	Chili		Bulgaria	Germany Great Britain Spain	Denmark Finland Germany Great Britain Norway

Unemployment (Agriculture)		Bulgaria Czecho-Slovakia Sweden		Finland	Bulgaria Germany	Czecho-Slovakia
Childbirth (Agriculture)					Bulgaria Germany	Bulgaria
Light Work, Women (Agriculture)			Finland	Great Britain	Bulgaria Germany	Czecho-Slovakia
Light Work, Children (Agriculture)			Finland		Bulgaria Germany	Czecho-Slovakia
Technical Agricultural Education	Austria			Finland Great Britain	Bulgaria Germany	Bulgaria Czecho-Slovakia Denmark Japan Poland Sweden Switzerland
Living-in Conditions (Agricultural)	Poland	Cuba			Bulgaria Germany	Norway
Social Insurance (Agriculture)					Bulgaria Germany	Bulgaria Czecho-Slovakia Denmark Netherlands Norway Sweden
Weekly Rest in Commercial Establishments	Denmark	Norway	Netherlands	Finland		Bulgaria Czecho-Slovakia Poland Sweden

[1] This column shows the countries which have officially intimated that their legislation partially or wholly applied the provisions of the Recommendation prior to the Geneva Conference of 1921.

INDEX

ADATCHI, H. E., 47n., 126n.
Administration in other countries, comparison with Public. *See* Civil Service
Advisers, technical, 107-8
Africa, South, 42, 83
Agenda of Conference, selection of, 43-4, 97-9, 130
Agricultural Committee, Mixed, 144-6
Agricultural Questions, competence I.L.O., 65n., 99
Agricultural Tribunal of Investigation, 173
Agriculture, International Institute of, 144-6
Albania, 64
Alsace-Lorraine, Committee Social Insurance, 151-2
Anthrax Advisory Committee, 148
Argentine, 41
Armstrong, Sir Thomas, 16
Assembly of the League, 55, 56, 68, 75-84, 89, 92, 109, 118, 122
Australia, 102, 109
Austria, 27-8, 155

BALDWIN, STANLEY, 23
Barnes, Julius, 28, 29
Basle Library, 156-7
Batchelor, Mr., 108
Belgium, 24, 63
Berne Conference, 1906 and 1913, 115
Beveridge, Sir William, 149n.
Bondfield, Miss Margaret, 107
Budget of the I.L.O., preparation estimates, 75-7; autonomy of I.L.O., 77-82; contributions, 82-9; working capital fund, 82-5, 87, 88; auditing, 90-1; currency, 92-6; adoption measures involving expenditure at I.L. Conference, 136-7
Budget of the League, 82-96
Bulgaria, 63, 64; Compulsory Labour Act, 162
Burnham, Viscount, 124, 126n., 137-8
Butler, H. B., 11, 53

CAILLAUX, MR., 56n.
Canada, 40, 41, 102
Cecil, Lord Robert, 78
Charter of Labour, 26-7, 48
Chatterjee, A. C., 23
Chili, 64
China, 47n., 64
Civil Service, comparison with British, 53-8, 67, 72-3, 76, 86, 158; Treasury, 92-3
——, comparison with American, 71
——, comparison with French, 54, 56-8, 71
Commissions, International Advisory, 140-50, 165n.; Maritime, 141-2, 144; Emigration, 143, 146; Anthrax, 148, 165n.; Industrial Hygiene, 148; Social

Insurance, 148; Statistics, 148, 164; Disablement, 148-9, 165n., 173; Unemployment, 148-50, 165n.
——, International Arbitration, Alsace-Lorraine, Poland, Upper Silesia, 151-3
Committees of I.L. Conference, 126-32; selection, 127-8; drafting, 128, 131-2
Conference. *See* International.
Constitution of I.L.O., 21-49, 81
Contributions of States to I.L.O., (*see also* Budget I.L.O.), 82-9, 177-8
Conventions, Draft (*see also* Ratification), Application Colonies, 29, 30; ratification, 31-6; exception Federal States, 34-5; number adopted each conference, 115-6; method adoption, 120-1, 131-2; application, Appendix VII
Correspondence Offices, National, 29, 55, 63-5, 72, 159-60, 171
Council of the League, 33, 39-41, 43-4, 79-80, 86, 90-1, 122
Credentials. *See* Procedure
Cuba, 24, 30-1, 170
Currency. *See* Budget
Czecho-Slovakia, 24, 64

DEPUTY DIRECTOR, I.L.O., 54, 55, 67, 72, 77, 91, 124
Director of I.L.O., 43, 53-5, 67, 69, 72, 76-8, 80, 85, 124, 141, 160n., 170; report of, 132-5
Disablement Committee, 148-9, 165n., 173

EDSTRÖM, MR., 117-8
Eight States of Chief Industrial Importance, 40, 41, 42
Emigration Commission, International, 143, 146
Employers, representation of, 30-1, 39, 43-4, 105-6, 108-9, 110, 117-8, 125-9

FINANCE. *See* Budget
Finland, 28, 64
Fontaine, Mr., 130
France, 24, 33, 65n., 99, 110, 155
French Chamber of Deputies, 133

GENOA, Economic Conference of, 14, 51, 103, 138
——, I.L. Conference, 98n., 110, 216-7
Gentz, Friedrich von, 47
Germany, 22, 27-8, 41n., 64n., 161, 171
Gompers, Samuel, 24, 29n.
Gradoni, Professor, 146
Great Britain, 14, 24, 34-5, 40-1n., 83, 86, 130, 155
Greece, 64, 87
Grimshaw, H. A., 113n.

HOLLAND, 124-5
House of Representatives, United States, 128, 137
Hudson, Professor Manley, 28
Hungary, 64; intervention I.L.O., 38

INDIA, 23n., 40n., 41, 42, 47n.
Industrial Hygiene, Advisory Committee, 148
Inquiry, Commission of, under Treaty, 36, 37
International Federation of Trades Unions, 125
International Institute of Agriculture, 144-6
International Labour Conference, 31-7, 105-39; Preparation for, 97-104; Selection of Agenda, 98n., 130; periodicity of sessions,

117-21; committees of, *see* Committees; Standing Orders, *see* Procedure; President, 121, 124, 126n., 127, 135, 137-8
International Labour Legislation, Commission on, 1919, 24, 30-5, 69, 98n.
International Labour Office, internal administration, 50-74; staff, 65-74, 179; Diplomatic Division, 54, 56, 60, 163, 164; Scientific Division, 54; Intelligence and Liaison Division, 56, 163-7; Research Division, 56, 163-4, 167; Cabinet Secretariat, 54-8; Library, 156-7. SECTIONS: statistical, 164-5; legislation, industrial relations, co-operative societies, 165; employers' organization, 166; Editorial, 167; commission to inquire into organization of, 56, 61n., 66-8, 75
International Seafarers' Association, 142
International Seamen's Code, 142
International Shipping Federation, 142
Inter-Parliamentary Commercial Conference, 114, 166
Italy, 24, 40-1n., 64n., 113-4, 171

JAPAN, 40n., 41, 47n., 63-4, 125
Johnson, Mr., 56
Jouhaux, Mr., 126, 137-8

LABOUR, British Ministry of, 172
Languages, Official, 59-65, 69, 110-3
Laski, H. J., 113
Law, Bonar, 173
League of Nations, 10, 18, 21, 23, 70, 82-96, 155; Economic and Financial Section, 149, 172; Allocation of expenses, 177; Commission experts to inquire into organization of, 56, 61n., 66-8, 75; Supervisory Commission, 76-7, 89, 90-2
Low, Sir Ernest, 47n.

MAINE, SIR HENRY, 11
Mandates Commission, 30
Maritime Commission, Joint, 141-2, 144
McArthur, Miss Mary, 108
Membership of I.L.O., 27, 29, 81
Middlebrook, Sir William, 148

NEW ZEALAND, 102
Noblemaine, M., 56, 75
Non-European States and I.L.O., 41-3, 102-3, 117-9

OLIVER, SIR THOMAS, 148
Organization Internationale des Employeurs Industriels, 109
Oudegeest, Mr., 124, 125

PEACE CONFERENCE, 1919, 21, 24, 40, 48, 50, 69
Pelletan, Mr., 58
Percy, Lord Eustace, 52
Permanent Court of International Justice, 37, 65n., 75, 81, 84, 92, 94, 99, 125, 144
Persia, intervention of I.L.O., 39
Phelan, E. J., 60
Pinot, Mr., 126
Poland, 29, 63-4, 83
Poulton, Mr., 108
Procedure I.L. Conference, 123-39; credentials, 106, 124-6, 128; limit speeches, 111; closure, 135-6; amendments, 135; record of proceedings, 137; voting, 106-7, 109-10, 138; Standing Orders, 198-211. (*See also* Inter-

national Labour Conference)
Production, Inquiry, 62-3, 171-2
Publications, 169-71

QUESTIONNAIRES, 100-4

RATIFICATION (*see also* conventions), 29-35, 45-7, 211
Recommendations, 31-6, 115, 120-1, 131-2; application, 212-6
Reparations Commission, 93
Robbins, Mr., 145
Ruhr, I.L.O. Inquiry, 161-2
Russia, 14, 161

SALTER, SIR ARTHUR, 11
Sanctions, 36, 37, 38, 39, 43, 44
Secretariat of League, 50, 52, 66, 70, 85, 90, 91
Secretary-General of the League, 36, 76, 77, 82
Selves, Mr. de, 56n.
Smith, Miss Constance, 107
Social Attachés, 64, 65
Social Insurance, Commission, Alsace-Lorraine, 151-2
——, Commission, Poland, 152
——, Committee, 148
Spain, 38, 63, 125
Standing Orders, 198-211. *See also* Procedure
Statisticians, Committee of Labour, 148, 164
Swiss Federal Council, 134

THOMAS, ALBERT, 11, 53, 65n., 69, 78, 81, 152n.

ULLSWATER, VISCOUNT, 143
Unemployment Commission, 148-50, 165n.
Universal Postal Union, 82-3, 87
U.S.A., 24, 28, 29, 34, 35, 93, 94, 102, 143, 155, 160-1
Upper Silesia, Labour Committee, 151-3

VENEZUELA, 64
Vienna, Congress of, 47-8
Vilallonga, Dr. J. de, 33
Vogüé, Marquis de, 146

WALKER, MR., 108, 146
Whitehead Convention, 107
Workers, representation of, 30-1, 39, 43-4, 105-6, 108-9, 110, 117-8, 125-9
Working Capital Fund, 82-5, 87-8

UNIVERSITY OF WINNIPEG LIBRARY
3 1888 006 689 047